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Does Race Matter? An Experimental Vignette Study On Harm Severity, College Student Discipline, And Restorative Justice

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DOES RACE MATTER? AN EXPERIMENTAL VIGNETTE STUDY ON HARM

SEVERITY, COLLEGE STUDENT DISCIPLINE, & RESTORATIVE JUSTICE

by

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Bachelor of Science, University of Houston, 2015
Master of Arts, University of North Dakota, 2020

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Submitted to the Graduate Faculty

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This document, submitted in partial fulfillment of the requirements for the degree from the University of North Dakota, has been read by the Faculty Advisory Committee under whom the work has been done and is hereby approved.

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PERMISSION

Title   Does Race Matter? An Experimental Vignette Study on Harm Severity,
               College Student Discipline, and Restorative Justice

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                                                        Terrill O. Taylor
                                                        10/19/2021

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"Human progress is neither automatic nor inevitable… Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals." ― Martin Luther King, Jr.

The continuous fight toward equity and justice can be cumbersome; yet it is so rewarding. Throughout my life I have faced many challenges. I have engaged in actions that I regret, and I have learned tough lessons along the way. In reflecting on the struggles of the past, I am humbled to live in my truth and I proceed toward an enlightened future. For these reasons, my dissertation topic is so personal and meaningful to me. It is my passion and show of justice.

In expressing my gratitude, I do not think words alone can be used to convey the depths of appreciation I have for those who have supported my educational journey. First, to my chair, Dr. Tamba-Kuii Bailey, thank you for your leadership and guidance. I am forever grateful. To my committee members, Dr. Rachel Navarro and Dr. Virginia Clinton-Lisell, I admire your passion and dedication – thank you. Also, to Dr. Melanie Wilcox, you have remained steadfast and earnest in your support and mentorship and I cannot imagine being the researcher I am today without the wisdom you have instilled in me since day one. Last, I would not be in this position without the ongoing support and encouragement I have received from my family and friends – all of whom I thank. To my mother and grandmother, this is for you. You are two of the strongest women I know. To my father, my unwavering mindset comes from you, and for this I remain encouraged. I am also indebted to my brothers and sisters, in and out of kinship, for the harmony and community we engage in as we strive toward liberation. May our hearts and minds forever be united and restored. Together we persist, and together, we rise. *Thank you*.

ABSTRACT

Research suggests individuals' support for harsher sanctions for wrongdoers increase in association with the perceived severity of the harm caused. To date, however, research has focused mostly on retributive modes of punishment and has less often addressed restorative sanctions. Furthermore, research has documented racial disparities in conduct sanctioning, especially within elementary and secondary school-based settings, with research suggesting that students of color (e.g., Black students) are sanctioned harsher than White students. Surprisingly, racial disparities in student conduct sanctions within higher education settings have rarely been examined. The present study therefore sought to fill a void in the literature by examining the degree to which individuals' support for types of conduct sanctions (e.g., retributive, restorative, no outcome) differed based on their restorative justice attitudes, global beliefs in a just world and their perceptions of harm severity regarding an incident of sexually based misconduct. Additionally, the present study examined whether there were differences in participants' responses based on the alleged wrongdoer's racial identity. Using an experimental research methodology, participants ($N = 521$) were asked to respond to one of two harm vignettes that varied by manipulation of the wrongdoer's race. Multigroup Structural Equation Modeling (MG-SEM), a test of measurement invariance, was used to examine the regression pathways, and the model resulted in adequate fit. Results suggested that participants' restorative justice attitudes and global beliefs in a just world significantly differed from each other; that restorative justice attitude scale scores significantly predicted participants' support for each conduct sanction type; and that participants' global beliefs in a just world influenced their support for conduct sanctions

by way of their perceptions of harm severity. Additionally, results suggested that participants responded more favorably (i.e., lower harm severity scores, less support for retributive sanctions, and greater support for restorative sanctions) for the Black as compared to White-identified student wrongdoer, however, when considering an increase in perceptions of harm severity scores, participants' support for the Black-identified student wrongdoer receiving a restorative sanction significantly decreased. An increase in perceptions of harm severity, however, had no bearing on participants' support for the White-identified student wrongdoer receiving a restorative-based sanction. The results of this research are useful for both restorative and social justice advocates alike, as it provides greater insights that can help address and reform postsecondary campus policies on student judicial conduct practices. Implications for research, advocacy and public policy, education and training, and psychological practice are discussed.

CHAPTER I

INTRODUCTION

Researchers and social justice activists have scrutinized the practices used on educational campuses to address issues of harm or wrongdoing, such as violations to campus codes of misconduct and other judicial policies that guide institutional behavior (Karp & Sacks, 2014; Skiba et al., 2011). In general, researchers assert that educational institutions often resort to harsh and punitive sanctions, such as suspension and expulsion, to redress student behaviors, especially for the most serious of conduct violations (e.g., sexual-based misconduct) (Karp, 2013; Karp & Sacks, 2014; Koss et al., 2014). These harsh and punitive sanctions align with retributive theories of justice which claim that punishment, or some degree of suffering, should be inflicted upon wrongdoers to hold them accountable for their actions (Wenzel et al., 2008). These conduct sanctions are problematic, however, as they limit access for students to correct problem behaviors and may exacerbate their engagement in future wrongdoing.

In addition, these exclusionary practices contribute to the marginalization and social devaluation of individuals, often classified as wrongdoers, who are frequently removed and separated from the campus community. Further, if the wrongdoing continues, these individuals may be separated from the rest of society (e.g., imprisoned). Whether individuals believe harsh and punitive sanctions are necessary may very well depend on the perceived harm severity of the wrongdoer's behavior. Studies have highlighted that, as harm severity increases, so does individuals' support for punitive sanctions (Brubacher, 2018; Gromet & Darley, 2006; Rucker et al., 2004). In addition, individuals who endorse greater beliefs in a just world, which is the belief that individuals get what they deserve, also support harsher sanctions for wrongdoers (Devine & Caughlin, 2014; Freeman, 2006).

Given the implications of retributive justice approaches, social justice advocates have instead argued for the use of alternative judicial practices to address harm and wrongdoing, including the implementation of judicial interventions based on principles of restorative justice (Karp, 2013; Karp & Sacks, 2014; Payne & Welch, 2015; Skiba et al., 2002). Restorative justice aims to promote unity and inclusivity, while also holding wrongdoers accountable for their actions, ensuring harm victims' voices are valued, and allowing for community involvement in the resolution of conflict to the extent possible (Zehr, 2002). Yet, there is limited research on the effectiveness of restorative justice in higher education, possibly because most institutions do not incorporate principles of restorative justice in their judicial processes. In 2015, it was noted that approximately sixty-five colleges and universities in the United States (U.S.) had an established restorative justice program in place to redress issues of student misconduct (Huston, 2015). While additional implementation of restorative justice processes on college/university campuses are needed, there is also the need to take into consideration how individuals' perspectives about restorative justice interventions, including how such interventions are implemented with students accused of specific types of wrongdoing, might differ given the reality of racial inequity in student conduct sanctioning – a form of racial discrimination (Davis, 2019; Gavrielides, 2014).

Studies examining student conduct sanctioning in primary and secondary schools found that racial disparities exist in both the type of sanction given as well as the severity of those sanctions (e.g., Gregory et al., 2010; Nichols, 2004; Raffaele Mendez & Knoff, 2003; Skiba et al., 2002; Townsend, 2000), with most of this research showing that Black students receive harsher sanctions (e.g., suspension, expulsion) than White students. As a result of public policy (e.g., the James Cleary Act; Cleary, 2018), public K-12 educational institutions are required to report information related to campus misconduct violations, disciplinary sanctions, and

aggregated racial information of accused students; however, the same obligations are not required by postsecondary educational institutions (Cleary, 2018; Koss et al., 2014). As such, data concerning the frequency of punitive discipline, or potential racial disparities in student conduct sanctioning within college and university settings appears to be unavailable or relatively non-existent.

The current study therefore adds to the body of literature addressing postsecondary school discipline, race, and restorative justice. First, this study sought to examine whether individuals' restorative justice attitudes and global beliefs in a just world are related, as well as the degree to which these justice perspectives influence individuals' perceptions of harm severity. In addition, this study examined whether individuals generally support harsh and punitive conduct sanctions that restrict access to supportive educational services and corrective learning experiences for students on college campuses (based on principles of retributive justice), or whether individuals favor more holistic and healing-based conduct sanctions (based on principles of restorative justice). Last, it was examined whether individuals' support for conduct sanctions differed based on the racial identity of the wrongdoer. Research has found that individuals' biases work in ways that maintain systems of institutional and structural oppression that impact people of color, with there being a specific emphasis on biases held against Black cisgender males (Alexander, 2010; Ferguson, 2000). Historically, Black men have also been most severely sanctioned in various judicial related processes (Johnson, 2017). Thus, the current study examined differences in justice-related attitudes and support for conduct sanctions between either a Black or White male-identified college student wrongdoer.

CHAPTER II

LITERATURE REVIEW

Race and Discipline

Racial and social justice advocates have urged others to address systems of injustice that overwhelmingly impact people of color (Davis, 2019; Varghese et al., 2019). This is particularly needed when issues of justice and discipline are concerned. Racially marginalized individuals are more likely than White individuals to be stopped and frisked by police and are more likely to be pulled over while driving, despite being less likely to possess contraband when searched (Trachtenberg, 2017). In addition, racially marginalized individuals are more likely to be arrested and are also subjected to harsher penalties than White individuals, even when considering similarity in offense types of history records (Mears et al., 2016). These injustices impact Black men, in particular, as they are vastly overrepresented in the U.S. carceral system (Mears et al., 2016). According to Gordon (2018), these inequities exist within judicial conduct practices in educational settings as well, and as Trachtenberg (2017) asserted, "At least some of the factors that contribute to racial disparities within the criminal justice system – such as implicit bias among witnesses and investigators – exist on [educational] campuses too" (p. 121).

When exploring primary and secondary school discipline practices, it is inferred by some, that racial inequities in student conduct sanctions are not due to differences in the behaviors of Black as compared to White students but are rather a byproduct of racial biases and prejudicial attitudes directed toward students of color (Anyon et al., 2016; Payne & Welch, 2015; Riddle & Sinclair, 2019). For instance, Anyon et al. (2016) provided evidence suggesting that more severe and exclusionary discipline consequences persist for Black students in K-12 schools that extend far beyond that of their White peers, even when considering similarity of offense types. Further,

according to Payne and Welch (2015), K-12 schools may be less inclined to offer corrective learning experiences to students of color, due to school administrators' fears that students of color impose an increased threat.

The Civil Rights Data Collection (CRDC) has also highlighted the dearth of literature on racial inequities in K-12 school discipline practices. Through examinations of state and nationwide data, it is suggested that Black students receive punitive discipline—such as suspension and expulsion—at higher rates than that of their White peers (Shollenberger, 2015; Skiba et al., 2002, 2011; U.S. Department of Education Office for Civil Rights, 2018). The implications of punitive disciplinary practices in K-12 schools have also been highlighted through research. It has been noted that harsh disciplinary outcomes lead to a decrease in students' social connectedness with their institution (Anyon et al., 2016), lowers their academic achievement (Rausch & Skiba, 2005), and promotes increased levels of psychological distress (Pedersen, 2018). Further, in addition to reducing the instructional time students are afforded in learning environments that could be beneficial to their growth, punitive sanctions restrict students from other resources provided on campus such as counseling or other corrective support services (Karp & Sacks, 2014). Additionally, research has highlighted significant correlations between students' experiences of punitive discipline and negative future outcomes, such as higher arrests rates or imprisonment (Mowen & Brent, 2016; Wolf & Kupchik, 2017). While the data on racial inequities in K-12 discipline is well documented, it is unclear how disciplinary practices might affect students who have already reached early adulthood. To this end, it is necessary to address the issue of judicial conduct sanctions on college and university campuses that hosts adult-aged students.

Student Misconduct on College/University Campuses

Sanctioning practices at postsecondary institutions have been extensively theorized and studied (e.g., Giacomini & Schrage, 2009; Stimpson & Stimpson, 2008; Waryold & Lancaster, 2008), with much of the literature addressing the historical and theoretical rationale that has driven the need for policies to address student conduct, as well as the guidelines set forth for managing judicial student conduct proceedings. The need for such policies have been largely informed by relevant laws that afford students the rights of their due process while also promoting school safety, accountability, and the development of ethical decision-making processes (Baldizan, 2008; Lopez-Phillips & Trageser, 2008; Lowery, 2008). For these reasons, postsecondary institutions establish student codes of conduct which are meant to serve as protective mechanisms to guide student behavior, and to establish procedural norms that safeguard students accused of actions that are in direct violation of institutional policies (Waryold & Lancaster, 2008).

As a result of student conduct violations, school administrators impose sanctions on students based on the severity of their alleged misconduct, with the most punitive results often being suspension and/or expulsion (Townsend, 2000). Yet, according to Lowery and Dannells (2004), college student discipline has become too much like the criminal justice system. Lowery and Dannells (2004) stated that, "The primary weakness resulting from overly legalistic student judicial affairs systems is the creation of an increasingly adversarial environment. Within this environment, the educational focus of student judicial affairs is often lost'' (p. 21). Some have rationalized that punitive disciplinary measures are necessary to increase campus safety (see Rucker et al., 2004); however, data provided by the National Center for Education Statistics (NCES) shows that campus crimes on U.S. postsecondary institutions have increased over several years, as have the number of cases that are often referred to student conduct offices.

In 2008, an amendment to the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (Clery, 2018) made it a requirement that public K-12 schools and postsecondary educational institutions provide data related to school crime and safety. The most recent Campus Crime Statistics report from 2021 showed that between 2009 and 2018, the overall number of reported on-campus crimes at postsecondary institutions (inclusive of all public 2- and 4- year degree granting institutions) decreased by 16 percent (from 34,100 to 28,500), however, the number of reported on-campus crimes increased by 8 percent between 2014 and 2017 (from 26,800 to 29,100) (NCES, 2021a). Further, there was an increase in college disciplinary referrals, which grew from 155,200 in 2001 to 231,600 in 2016. More recently, in 2018, there were 200,300 referrals for disciplinary action for cases involving illegal weapons possession, drug law violations, and liquor law violations, with most of the referrals (92 percent) involving violations in residence halls (NCES, 2021a). Thus, recent data suggests that the current sanctioning practices fail to meet the intended effect of improving campus safety.

Notably, while information is provided concerning the number of disciplinary referrals received for specific offense types (only illegal weapon possession, drug law violations, and liquor law violations), unlike K-12 institutions, postsecondary institutions are not required to provide specific information about what sanctions or outcomes were imposed on students for their alleged campus conduct violations (Waryold & Lancaster, 2008). Additionally, postsecondary institutions are not required to provide aggregated data concerning the race of accused students, making it impossible to determine whether punitive discipline practices are overused, or whether students of color are overrepresented in the data. In the absence of accessible and documented information regarding sanctions, outcomes, or the racial identity

characteristics of accused students, it is impossible to determine whether colleges and

universities engage in just, fair, and racial equitable judiciary conduct practices.

The data that does exist, however, uncovers a particularly interesting yet troublesome

finding, which is that hate crime incidents are increasing on postsecondary campuses (NCES,

2021b). A hate crime is a criminal offense that is motivated, in whole or in part, by the

perpetrator's bias against the victim(s) based on their race, ethnicity, religion, sexual orientation,

gender, gender identity, or disability (NCES, 2021b). Race (along with religion and sexual

orientation) based hate crimes have increased in recent years, with most of these harms classified

under the intimidation or destruction, damage, and vandalism of property categories, followed by

the occurrence of simple and aggravated assaults (NCES, 2021b). Race was stated to be a

motivating bias for 43 percent of reported incidents classified as hate crimes on

college/university campuses (NCES, 2021b). Given the increased occurrences of campus hate

crimes, it is reasonable to infer that racial discrimination and prejudice toward racially

marginalized individuals and groups within college and university settings remains problematic.

This supports the need to examine how individuals within campus communities might respond to

conduct sanctions differently based on a student wrongdoer's race. Furthermore, among the

various types of on-campus crimes reported in 2018, there were 12,300 forcible sex offenses,

which constituted 43 percent of all criminal incidents. The number of reported forcible sex

offenses on campus increased from 2,500 in 2009 to 12,300 in 2018 (a 383 percent increase),

with an average increase of 16 percent per year (NCES, 2021c). Considering research that

suggests support for punitive sanctions increases with levels of perceived harm severity (e.g.,

Brubacher, 2018), it may be particularly beneficial to consider how support for conduct sanctions

differ in relation to sexual-related misconduct – perhaps what is often considered one of the most severe acts of harm and wrongdoing that occurs on college and university campuses.

Sexual-related misconduct. Sexual-related misconduct includes acts such as stalking, sexual harassment, sexual assault, and rape (Kaplan, 2017). The U.S. Department of Education's Office for Civil Rights issued guidance on how institutions of higher education are responsible for addressing various types of sexual misconduct behaviors that occur on college campuses with the goals of eliminating sexual misconduct, preventing its reoccurrence, and remedying its effects (Koss et al., 2014). This guidance, largely under the premise of the Dear Colleague Letter, prompted university officials to consider their judicial response to sexual misconduct and the desired institutional outcomes in response to campus conduct violations (Ali, 2011). Under the Title IX Education Amendment of 1972, higher education institutions are required to respond to reports of sexual misconduct that align with the Dear Colleague Letter's requirements or otherwise risk the loss of federal financial support (Koss et al., 2014). Most often, the response is to separate ties with the student and have them removed from the school's campus community (Brodsky, 2016; Karp & Sacks, 2014).

The general purposes of Title IX and the Dear Colleague Letter were to expand and promote equal access for gender-based marginalized groups and to eliminate or reduce sexual-based misconduct on college campuses (Ali, 2011). However, as some critics have highlighted, how universities respond to conduct violations have instead created unfair and unjust penalties that negatively impact students of color (Brodsky, 2016; Johnson, 2017). According to Johnson (2017), perhaps the most notable consequence of these policies is that they appear to have had a disparate impact on Black men. This may, in part, be due to the long and enduring history of

racism against Black men, but also the fact that students of color, in general, are negatively

impacted by harsh and punitive sanctions throughout their early educational experiences.

While Black men make up only about six percent of college undergraduates, anecdotal

research, in the absence of more empirical data, finds that Black men are vastly overrepresented

in campus sexual misconduct cases that often result in their removal from the campus

community and loss of financial scholarships (Sanzi, 2019; Yoffe, 2017). Given these concerns,

it is necessary to consider new ways of responding to campus misconduct violations and to

create change against unjust judicial policies and systems that may negatively impact students of

color. While university officials may not intend to punish Black students more harshly, racism

toward Black people may nevertheless cause greater harm to Black students on college and

university campuses, especially if the decision-making powers are open to individuals within the

broader campus community (e.g., students, faculty/staff, community partners). Yet, as stated,

there is currently little understanding on the function that race serves on decisions to discipline

students who commit crimes or harm-based offenses on college and university campuses. Thus,

there is a need to examine whether individual-level racial biases contribute to support for larger

policies that may systematically and disproportionately impact students of color. Furthermore,

considering that proponents have argued for the use of alternative approaches such as that of

restorative justice, there is a need to better understand how one's attitudes about restorative

justice factors into conversations on race, harm severity, and college student discipline.

Restorative Justice

As a social movement, restorative justice seeks to amend the social connections that are

broken when harm occurs, which includes healing the ties between individuals and communities

(Zehr, 2002). Researchers have highlighted the promise of restorative justice interventions citing

that restorative processes help promote high quality learning experiences for college students (Karp, 2013; Karp & Sacks, 2014). Unlike traditional retributive practices that ostracize alleged wrongdoers, restorative justice brings harmed parties together and allows for community building (Karp & Breslin, 2001). As for holding wrongdoers accountable for their actions, restorative justice advocates recommend maintaining high expectations of behavior while also ensuring mutual support for all involved parties (Gromet & Darley, 2006). Restorative justice can thus be used as a supportive and enriching learning experience that allows individuals the opportunity to grow beyond their acts of transgression. Yet, as referenced, there are relatively few postsecondary institutions that utilize restorative justice in their conduct practices, which may be due in part to individuals questioning of how such practices are implemented.

      Implementation of restorative justice. In the context of addressing conduct sanctions, Koss et al. (2014) discussed how restorative justice can be implemented in student sexual misconduct cases in four different ways: as a 1) resolution process, 2) a victim impact process, 3) sanctioning process, and 4) reintegration process. Restorative justice as a resolution process includes providing activities that help to achieve validation and reparation for the harm caused to direct and indirect victims, including initiating counseling for the responsible person to address the behaviors that raise the risks for perpetrating misconduct, and establishing mechanisms to reinforce anti-sexual violence norms in the campus community (Koss et al., 2014).

      Restorative justice as a victim impact process involves the use of restorative justice circles or conferences that help to redress a plan of formalized activities through which the responsible person can be held accountable (Koss et al., 2014). These activities may include paying of restitution/reparations, counseling, and/or campus community service (Koss et al., 2014). Kaplan (2017) discussed how restorative justice processes may also help to meet the

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complex needs of victim-survivors far beyond that of retributive processes, such as through restorative circles or conferences that offer space for the victim-survivor to be included in the process. This provides an opportunity for the harmed parties to share their experience and voice their desired outcome (Kaplan, 2017).

The third way of implementing restorative justice is through a sanctioning process (Koss et al., 2014). This process might resemble that of a sentencing circle in which all parties, including individuals from the larger campus community, come together to discuss and agree on an appropriate course of action for the responsible party, should this person acknowledge their wrongdoing (Koss et al., 2014). At their most severe, institutionally imposed sanctions may include voluntary or involuntary separation from the institution on a temporary (i.e., suspension) or permanent (i.e., expulsion) basis, as even restorative sanctioning includes separation when it is mutually agreed upon by all parties (Koss et al., 2014). Finally, the reintegration process recognizes how the community can benefit a person found responsible for wrongdoing (Koss et al., 2014). This might include working alongside individuals to dismantle the social stigma that often follows when acts of harm and wrongdoing occur. In a reintegration process, it would be essential to provide emotional and tangible support to help wrongdoers avoid risky situations associated with their previous sexual misconduct (such as addressing the effects of a person's excessive use of alcohol or socialization with negative peer groups) (Koss et al., 2014).

Notably, one stark difference between restorative justice and retributive approaches is that all parties (e.g., victim-survivor, wrongdoer, community members) play an active role in the process of identifying harms and determining how such harm could be repaired (Kaplan, 2017; Karp, 2013). According to Koss et al. (2014), when restorative justice resolution processes are implemented appropriately and effectively, the shared interest of victim-survivors, institutions,

wrongdoers, and student conduct professionals are maintained and supported. That is, initial

evidence supporting the feasibility, safety, and justice satisfaction among participants following

individuals' engagement in restorative justice resolution processes suggests that it is a useful

approach even when issues of sexual misconduct are concerned (Koss et al., 2014). Yet, the

opportunity to engage in such processes may still differ based on a wrongdoer's race.

Race, discipline, and restorative justice. Scholars have discussed the interconnections

of restorative justice and racism in the U.S. (e.g., Blas Pedreal, 2014; Davis, 2019; Gavrielides,

2014; McMahon et al., 2019; Payne & Welch, 2015). McMahon et al. (2019) discussed how

individual and institutional racism faced by students of color at predominantly White institutions

requires critical attention. Individual racism relates to individuals' subjective decisions to

sanction Black students differently for similar behaviors also exhibited by White students.

Alternatively, when Black students repeatedly receive differential sanctions, and it is consistently

noticed over time and is not critically addressed, then it represents structural or institutional

racism (Gooden & O'Doherty, 2015). Racial dynamics and campus climate create a complex

interplay of structural issues, including racial stigma and racism, that must be taken into

consideration in restorative justice processes (McMahon et al., 2019). In addition, Blas Pedreal

(2014) discussed the unequal access to restorative justice for people of color, citing restorative

sanctions as a "luxury that people of color could not afford" (p. 38). Blas Pedreal (2014) called

for university personnel to consider the ways in which ones use of restorative justice practices

might further reproductions of Whiteness, as some may proceed with implementing restorative

justice sanctions from a color-blind approach. That is, if individuals are not attending to the ways

in which structural and individual levels of racism-related behaviors might influence one's

willingness to engage in or accept restorative justice practices as a viable outcome, then racial

disparities in student conduct concerns might persist. The current study seeks to examine whether individuals' support for restorative sanctions exist equally for Black as compared to White student wrongdoers, even in association to their overall perceptions of harm severity, their attitudes about restorative justice, and their beliefs in a just world.

Beliefs in a Just World

Lerner (1980) proposed the *just-world theory*, which suggests that people have a need to believe that the world in which they live is just and that people get what they deserve. In other words, the just-world theory posits that individuals need to believe that bad things happen to bad people and good things happen to good people. Most of the research examining one's just world beliefs has done so from the perspective of individuals' responses to harm victims as compared to wrongdoers (see Hafer & Begue, 2005, for a review). Some research has however addressed how such beliefs lead to support for differing sanctioning outcomes solely for wrongdoers. Research has suggested that people who score high on scales measuring one's belief in a just world advocate for harsher sentences for wrongdoers (Freeman, 2006; Gerbasi et al., 1977). For example, in an experimental vignette study by Freeman (2006) examining jurors' responses to criminal defendants, it was found that high just world believers were likely to impose harsher sanctions on individuals – specifically those from marginalized backgrounds (e.g., lower social class). Yet, while race was not manipulated in their study, it was inferred that participants' perceived thoughts about the defendant's race might have also impacted their sentencing objectives. Specifically, Freeman (2006) precluded that there may be greater leniency for White accused individuals as compared to non-White accused parties.

Furthermore, Mazzella and Feingold (1994) conducted a meta-analysis investigating whether racial bias against defendants would emerge based on one's beliefs in a just world,

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regardless of the race of the juror, and included studies involving judgments of sentence as well as guilt. Results of this research suggested that there was a general tendency for jurors to be harsher toward defendants of a different race than their own as their beliefs in a just world increased. However, the effect for this was weak and varied based on the type of cases examined. More recently, Devine and Caughlin (2014) conducted a similar meta-analysis and found racial differences in support for punitive sanctions and beliefs in a just world for individuals that held a different racial identity than the race portrayed for the accused harm defendants. Taken together, while there appears to be some support for the notion that one's belief in just world results in racism in sanctioning decisions, and that individuals' beliefs in a just world informs their perceptions of harm severity, this phenomenon remains unclear and the research in this area is relatively outdated.

Harm Severity

Several researchers have already established a positive relationship between harm severity and support for retributive sanctions (e.g., Brubacher, 2018; Gromet & Darley, 2006; Rucker et al., 2004). Some research has found that as crime or harm severity increases, there is greater support for inflicting some degree of suffering on the responsible party, such as humiliating or degrading the perceived wrongdoer through punishment (Brubacher, 2018; Gerber & Jackson, 2013; Wenzel et al., 2008). While alternatively, as harm severity increases, there could be a greater perceived need to reform the wrongdoer's behavior and therefore greater support for pursuing and achieving the goal of restorative justice may be ascertained. These objectives may however differ depending on the wrongdoer's race. According to Skiba et al. (2011), the differential pattern of sanction outcomes between Black and White students in K-12 schools for example, appears to be attributable not to frequency or severity of misbehavior by

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Black students, but rather due to the subjective decisions to refer more harsh and punitive punishments to Black students within student judicial conduct proceedings.

Similarly, Barrett et al. (2017) conducted an exercise examining outcome differences in the length of suspension days for Black and White students in K-12 public schools who participated in the same incident. The researchers found that Black students received slightly longer suspensions than their White counterparts, even when the students engaged in the same fight and had similar disciplinary records. Additionally, Okonofua and Eberhardt (2015) conducted an experimental exercise examining whether negative associations about Black youth in public grade schools would predict teachers sanctioning Black students to harsher discipline outcomes as compared to White students. In their study, teachers were shown pictures of a middle school student whose name and image were manipulated by racial identity (Black vs. White), followed by presentation of a vignette story depicting the student engaging in classroom disturbance behaviors. Participants were asked to respond to the perceived level of severity as well as the degree to which the student should be disciplined. Results revealed that the Black student was significantly more likely than the White student to be perceived as a troublemaker and that teachers thought the Black student's misbehavior should be met with more severe discipline (Okonofua & Eberhardt, 2015). Taken together, these results suggest that race influences individuals' judgements of classroom behavior, and that individuals tend to favor harsher penalties for students of color regardless of perceived harm severity. It is however important to note that much of this prior research has been done in the context of K-12 education. There remains a need examine how sanctioning objectives might differ for students of different races within the setting of higher education. This underscores the need for the current study and the implications derived from experimental vignette-based research designs.

Experimental Vignette Research

In the limited research that has focused on harm severity and punishment in higher

education, it remains questionable whether racism plays a role in the student conduct sanctioning

process. For example, Starcke and Porter (2019) utilized a randomly assigned case vignette study

to assess college student conduct administrators' sanction responses to alleged wrongdoing. The

researchers found that higher education officials did not impose harsher penalties for Black

students as compared to White students when using hypothetical case vignette scenarios with

students deemed responsible for drug violations, nor were there differences in the total number

of sanctions assigned to the students. However, the hypothetical case vignettes used in their

study only varied the student's names as opposed to providing concrete descriptive or visual

information detailing the student's racial identity. Mutz (2011) warned that names are not

enough to send unambiguous signals about a target's race or ethnicity. Mutz (2011) suggested

using pictures to ensure race and ethnicity become obvious, and that studies should not only

incorporate differences in names, but also concrete mention of the person's race. This type of

design may allow for a more accurate assessment of racism and its relationship toward

individuals' beliefs about the person depicted in the vignette.

Furthermore, research has shown that most individuals, regardless of their own race, have

a pro-White bias (Pinkston, 2015; Smith & Levinson, 2012; Tinkler, 2012). For example, Smith

and Levinson (2012) summarized research on implicit bias in prosecutorial decision-making. In

their review of the research, it was denoted that approximately 80% of White participants and

40% of Black participants across studies tend to associate images of Black people with negative

stereotypes such as being bad, lazy, aggressive, and unpleasant. It is thus plausible that

participants, regardless of their own race, might evaluate Black men more negatively due to

preconceived stereotypical associations. Further, individual expressions of prejudice and overt acts of racism are not easily examined (Coates, 2011); however, it may be easier to observe more subtle expressions of racism and racial prejudice. This might appear through an indirect racial examination of individuals' support for varying conduct sanctions.

Gordon (2018) also noted that empirically examining racial discrimination can be a notoriously difficult task, yet, like evidence of race-based discrimination that appears in other contexts such as studies examining police shooting disparities (Lawson, 2015), juror guilt (Smith & Levinson, 2012), and hiring disparities in employment (Pager & Shepherd, 2008), experimental methodologies can be effective. The extant literature clearly highlights the degree to which individuals respond differently to targets based on a person's race. When identical cases are used for comparison, differing only along the dimension being examined for potential discrimination (such as race in this instance) the likelihood of obtaining indirect evidence of racism is greater (Starcke & Porter, 2019). The current study will therefore examine an indirect measure of implicit racial biases by manipulating the student wrongdoer's race.

Study Significance

Racism might impact the ways in which individuals within campus communities respond to students following experiences of harm or wrongdoing, including a potential for individuals to hold more punitive sanctioning attitudes towards students of color. Yet, this may also differ depending on one's perception of harm severity, and their general attitudes toward justice. As earlier stated, research addressing these concerns appears to be relatively nonexistent at the postsecondary level, and public data on judicial outcomes appears to be inaccessible.

It is nonetheless important that we examine individuals' views about judicial sanctioning outcomes following acts of harm or wrongdoing on postsecondary institutions for several

reasons. First, university stakeholders and federal policymakers often consider and accommodate

such views in their decision-making to maintain public trust (Brubacher, 2018). Further,

considering that harm and wrongdoing results in detrimental psychological impacts (e.g., lower

social connectedness, higher rates of depression and anxiety) (Anyon et al., 2016; Pedersen,

2018), examining individuals' attitudes may help to inform interventions that are needed to

improve campus community safety and to promote holistic community healing. Instead of

inflicting harm on accused students and robbing harm victims of the opportunity to have their

voices heard in the student conduct proceeding process, alternative approaches, such as those

influenced by principles of restorative justice are needed. Furthermore, professional competence

in diversity, equity, and inclusion have been clearly established as core competencies in

professional disciplines such as that of student affairs and professional psychology (ACPA, n.d.;

APA, 2021; NASPA, n.d.). Thus, further cultivation of knowledge relating to such matters is

needed alongside additional efforts to increase the joint nature in which these fields interact.

The American Psychological Association Zero Tolerance Task Force (2008), as well as

The Department of Justice and Department of Education (2014) have also recommended that

schools begin to utilize positive behavioral supports, such as restorative justice practices, and to

limit the use of school suspensions and expulsions for conduct violations that do not significantly

threaten school safety. While these policy recommendations may be useful in eliminating harsh

sanctions, a broader policy context might remain: Whether there is a need to eliminate racial

discrimination in postsecondary school discipline, should racial disparities exist in conduct

sanctions. To shed light on such a finding would be influential for racial justice reform and

restorative justice advocates alike. It would in addition add to the evidence base emphasizing the

need for policy makers to support and implement changes in educational guidelines addressing

mandates in college and university student conduct sanctioning practices that may negatively

impact students of color. Taken together, given that data on student conduct sanctioning at the

postsecondary education level appears to be inaccessible, and that large-scale quantitative

research addressing racial discrimination in discipline responses for college student conduct also

appears to be non-existent, the current study adds to the literature base examining these issues.

The Present Study

A randomized experimental study using hypothetical harm vignette scenarios was

conducted to explore individuals' support for conduct sanctions among postsecondary students

and personnel. More specifically, the current study examined the degree to which individuals'

restorative justice attitudes and global beliefs in a just world were related, and whether these

justice perspectives influenced individuals' perceptions of harm severity. In addition, it was

examined how support for conduct sanctions (retributive, restorative, no opinion/outcome) varied

based on participants justice-attitudes, levels of perceived harm severity, and whether differences

in support for sanction types existed based on the wrongdoer's race. Given the influence that

might exist based on participants' socially desirable responding, and their beliefs about sexual

misconduct in general, we controlled for these variables throughout all analyses. The following

hypotheses guided this area of inquiry.

Hypothesis 1: There will be a substantial and significant, negative effect between

restorative justice attitudes and global beliefs in a just world, such that, as restorative justice

attitude scores increase, global beliefs in a just world scores will decrease.

Hypothesis 2: There will be a substantial and significant, negative effect between

restorative justice attitudes and harm severity, such that higher restorative justice attitudes scores

will be associated with lower scores for perceived harm severity.

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Hypothesis 3: There will be a substantial and significant, positive effect between global beliefs in a just world scores and harm severity, such that higher global belief in a just world scores will be associated with higher scores for perceived harm severity.

Hypothesis 4: There will be a substantial and significant, positive effect between harm severity and retributive sanctions (4a), such that, as perceived harm severity scores increase, individuals support for retributive sanctions will increase. In addition, the effect that harm severity has on restorative sanctions will be substantial, significant, and negative (4b), such that, as perceived harm severity scores increase, individuals' support for restorative sanctions will decrease. Last, the effect that harm severity has on a no opinion/outcome sanction will be non-significant (4c).

Hypothesis 5: Configural invariance will be established, such that there will be a good model fit of the data and all items will load significantly on their constructs of interest.

Hypothesis 6: Metric invariance will be established, such that there will be a good model fit of the data and this model will not significantly differ in comparison to the configural model.

Hypothesis 7: Structural invariance will be established, such that there will be a good model fit of the data and this model will not significantly differ in comparison to the metric model. It is however hypothesized that restraining structural paths between harm severity and the three conduct sanctions will result in a statistically significant difference in model fit when comparing the constrained paths to that of the unconstrained model. Specifically, it is hypothesized that the regression paths will differ based on racial group vignette assignment, such that as harm severity scores increase, support for retributive sanctions will be greater for the Black wrongdoer racial vignette group as compared to the White wrongdoer racial vignette group (7a). In addition, as harm severity scores increase, support for a restorative sanction will

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decrease depending on vignette assignment, such that there will be less support for restorative

sanctions for the Black wrongdoer racial vignette as compared to the White wrongdoer racial

vignette (7b). The effect between perceived harm severity scores and support for a no

opinion/outcome sanction response will be examined exploratorily between the Black vs. White

racial vignette groups. See Figure 1 for the proposed structural model.
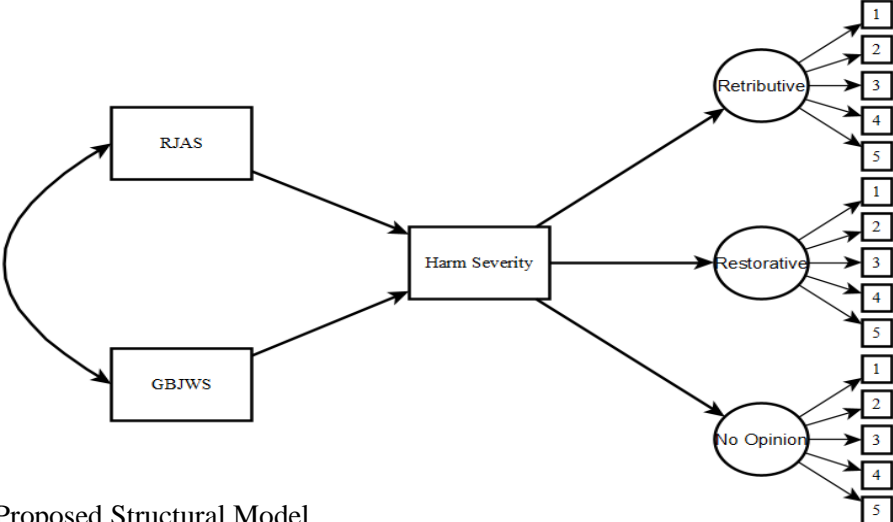
Figure 1. Proposed Structural Model

CHAPTER III

METHODOLOGY

Procedure

Individuals over 18 years of age, and who self-identified as being affiliated with a college/university campus were invited to participate in this study. Prior to collecting data, approval was obtained from the Institutional Review Board (IRB). Once IRB approval was granted, participants were solicited for their participation via a snowball sampling method using email recruitment. Emails were sent to instructors at public 4-year educational institutions detailing the purpose of the study and requesting permission to recruit research participants from their institution/classes. Participants were offered an incentive for their participation which included the option of receiving a $10 Amazon gift card for study completion. Participants were asked to include their name and email address separately from the study survey to protect their anonymity. Participants were informed that if quality control questions were failed, compensation would not be provided. There were no foreseen risks associated with this study, but since participants were asked to read vignettes about potentially traumatizing experiences, it was noted that they may experience some discomfort. Information for a national crisis hotline was provided to mitigate any risks. Participants were also informed that they could discontinue the study at any time by closing the window browser. Once consent to participate was indicated, participants were routed to the survey measures through random assignment. The justice-attitude measures were presented first in a counter-balanced order, followed by the hypothetical harm vignette and conduct sanctions. Last, participants completed measures on their attitudes about sexual assault, social desirability, and questions pertaining to their previous experiences of sexual victimization and/or engagement in acts of wrongdoing.

Participants

Power analysis. An a priori power analysis was conducted to determine the minimum sample size needed to maximize power while minimizing the probability of Type I and Type II errors. A power analysis was conducted using G*Power software (Faul et al., 2009). For this analysis, power was set at .80 to maximize the probability of finding a significant effect if it exists in the population (Cohen, 1988). The effect size for the a priori power analysis was set at $r^2 = .30$, based on the perceived relationship between the predictor and criterion variables, partially informed by findings in similar research (Brubacher, 2018). With a $\alpha = .05$, $\beta = .80$, and effect size = .30, a sample with approximately 117 participants per group would be needed. However, considering the experimental nature of the research design, and the methodology of structural equation modeling, it was anticipated that data would need to be collected from at least 440 participants to ensure that a minimum sample size of at least 220 participants within each racial vignette group was obtained. This aligned with the recommendation by Kline (2016) who suggested that the *N:q* ratio should be 20 to 1, or 20 observations (participants) for each estimated parameter in the model.

Sample characteristics. The current study was available to all persons within college and university systems, including students, faculty/staff, and administrators. A national sample was recruited to allow for a larger representation of individuals' attitudes, and to increase the generalizability of the study's findings. Participants ages ranged from 18 to 63 years old ($M = 26.50$; $SD = 9.49$). See Table 1 for an overview of the full sample characteristics by racial vignette group assignment.

Table 1

Sample Demographic Composition Across Racial Vignette Assignments

	Black racial vignette		White racial vignette	
Variable	*n*	%	*n*	*%*
Gender				
Cis Man	69	25.8	82	32.3

Cis Woman	191	71.5	165	65.0
Gender non-conforming/binary	7	2.7	7	2.8
Race				
American Indian or Alaskan Native	1	0.4	0	0
Arab, Middle Eastern, or North African	1	0.4	0	0
Asian/Asian American	22	8.2	13	5.1
Biracial/Multiracial	9	3.4	14	5.5
Black/African American	9	3.4	22	8.7
Hispanic/Latinx	24	9.0	26	10.2
White, non-Hispanic	201	75.3	179	70.5
Affiliation				
Undergraduate student	134	50.2	126	46.9
Graduate or professional degree student	78	29.2	79	31.1
College/university staff member	13	4.9	11	4.3
College/university faculty member	35	13.1	31	12.2
College/university administrator	7	2.6	7	2.8
Region				
Midwest	72	27.0	72	28.3
Northeast	38	14..2	40	15.7
Southeast	65	24.3	65	25.6
Southwest	62	23.2	58	22.8
West	29	10.9	19	7.5
Education				
High school diploma or GED	19	7.1	26	10.2
Completed some college	92	6.0	84	33.1
Associates degree	15	5.6	12	4.7
Bachelor's degree	54	20.2	49	19.3
Master's degree	50	18.7	53	20.9
Doctoral, or other professional degree	37	13.9	30	11.8
Political Affiliation				
Democrat	124	46.4	120	47.2
Republican	46	17.2	34	13.4
Independent	46	17.2	52	20.5
Libertarian	10	3.7	10	3.9
None	36	13.5	36	14.2
Other	4	1.5	2	0.8

Note. $N = 521$

Materials

Experimental Vignettes

To examine the effects of racial cues on support for varying conduct sanctions, two experimentally manipulated harm vignettes were created. Each vignette was treated as the unit of analysis in the experimental design. The vignette was a short story about a sexual related harm that was said to have occurred on a college/university campus and was adapted based on a vignette example used in prior research (e.g., Starcke & Porter, 2019). The vignettes made a

clear notation of the race of the hypothetical student by the inclusion of a transformed photo image, along with an explicit mention of the student's race and name. Following presentation of the vignette, participants were asked to respond to quality control questions that were administered to check for participants' understanding of the scenario. Flesh-Kincaid readability scores, which assess the level of difficulty for text comprehension, were also calculated for the vignette. The story included 449 words across 31 sentences. The Flesch reading ease score was 48.3, which corresponds to that of a 10th grade reading level.

The vignette approach provided a useful alternative to examine participants' attitudes compared to traditional survey items. Vignettes allow people to make specific judgments that are often easier to report compared to feelings about abstract values (Alexander & Becker, 1978). They have the added benefit of being ideally suited to experimental manipulation because respondents can be randomly assigned to different versions of the scenario. This is especially important when racial attitudes are considered. Overt racial animosity has decreased over time, yet people continue to express more subtle forms of racism (Gordon, 2018). Given increasing social pressure to refrain from overt forms of racism, asking directly about racial attitudes can induce social desirability bias in responses. The online vignette thus had the additional advantage of allowing us to present visual cues not normally available in traditional survey methodology.

Photograph and name selection. Images related to the race of the student wrongdoer were selected based on previous facial perception research (e.g., DeBruine et al., 2008) that utilized transformed photo images of individuals that appeared similar in age characteristics and facial features. Researchers have noted that it is important to also control for other characteristics (such as attractiveness) known to affect social judgments (see, for example, Yang et al., 2019). The images and vignettes used in this study only differed by race; thus, we did not examine

varying degrees of difference based on other identity characteristics such as gender. In addition to the image manipulation, the vignettes varied by the name of the student wrongdoer, using common racial names associated with the different ethno-racial groups used in previous experimental research (e.g., Starcke & Porter, 2019). The vignettes included the following names for the student wrongdoers: Darius Jefferson (Black) and Tanner Olson (White). Thus, the current study examined the independent effects of the race manipulations – both verbal and visual – on respondents' level of support for varying conduct sanctions.

Harm Severity

Immediately following the presentation of the harm vignette, participants were asked to respond to a single-item question pertaining to the scenarios perceived level of harm severity. Specifically, on a scale of 1 ("low severity") to 100 ("high severity"), participants were asked to respond to the following question: "How severe do you perceive this incident to be?"

Restorative Justice Attitudes Scale

The Restorative Justice Attitudes Scale (RJAS) (Taylor & Bailey, 2021) is a 20-item self-report instrument measured on a 5-point Likert scale, ranging from 1 ("strongly disagree") to 5 ("strongly agree"), with higher scores indicating a higher favorability or more positive attitudes toward restorative justice processes. Sample items include, "Inclusive, collaborative processes between victims and offenders of wrongdoing are necessary to repair harm," and, "I believe that wrongdoers should work to develop a greater understanding of their actions." The RJAS has been shown to have good internal consistency with a total score Cronbach's alpha of .91 reported in the author's original study. Regarding concurrent validity, the scale was found to positively relate to a measure of restorative orientations ($r = .46$), and was negatively related to retributive

orientations, $r = -.27$ (Okimoto et al., 2012). The scale's Cronbach's alpha score for the current study was .82, which represented acceptable internal consistency.

Global Beliefs in a Just World Scale

The Global Beliefs in a Just World Scale (GBJWS) (Lipkus, 1991) is a measure used to assess individuals' judgments of the world as fair and just. The scale includes seven items (e.g., "I feel that people get what they are entitled to have") and is measured on a 7-point, Likert-type scale (1 = "strongly disagree" to 7 = "strongly agree"), with higher scores indicating greater beliefs that individuals get what it is that they deserve. According to Hellman et al. (2008), the internal consistency of the GBJWS has ranged from 0.65 to 0.89 in previous research, with the measure producing the highest average reliability score of $\alpha = .81$ when compared to other measures of the construct (e.g., the Just World Scale; Rubin & Peplau, 1973). The measure has also been shown to significantly correlate with Color-Blind Racial Attitudes (Neville et al., 2000) ($r = .53$), indicating that greater endorsement of a belief that society is just and fair was related to greater levels of color-blind racial attitudes. The GBJWS Cronbach's alpha score for the current study was .84, which represented acceptable internal consistency.

Conduct sanctions

Fifteen items were written to measure retributive, restorative, and no opinion/outcome conduct sanctions, with five items per sanction response type. The items were developed for the purpose of the current study and were informed by prior research (e.g., Brubacher, 2018; Gromet & Darley, 2006). Participants were given the following instructions: "When thinking about the appropriate outcome for the student, to what extent do you agree or disagree with each of the following statements?" Responses were provided on a Likert-type scale ranging from 1

("Strongly disagree") to 7 ("Strongly agree"), with higher scores representing a greater degree of support for each statement.

An exploratory factor analysis was conducted to test whether the items formed three distinct factors. The principal axis factoring approach, using direct oblimin rotation, extracted three factors with eigenvalues greater than one. The three factors accounted for 68% of the total variance. For parsimony, and to improve subscale reliability, the top three items per subscale were retained that had a factor loading greater than .39 on the factor it was designed to measure, with double-loaded items omitted. Thus, the final scale resulted in 9 items across the three distinct factors. Cronbach's alphas for the subscales were .90 (retributive), .68 (restorative), and .61 (no opinion). See Appendix F for the final list of items.

Balanced Inventory of Desirable Responding - 16

The Balanced Inventory of Desirable Responding Short Form (BIDR-16; Hart et al., 2015) was administered to assess for socially desirable responding. The scale is rated on an 8-point Likert-type scale ranging from (1 = "Totally disagree" to 8 = "Totally agree"), with higher scores representing more socially desirable responses. The scale includes 16 statements such as, "I am very confident of my judgements" and "There have been occasions in which I have taken advantage of someone," which are intended to measure the degree to which participants engage in self-deceptive enhancement and impression management, respectively. The BIDR-16 was adapted from the Balanced Inventory of Desirable Responding (BIDR) measure developed by Paulhus (1991, 1998) which has been cited as the preferred measure for assessing social desirability (Tracey, 2016). The measure has been found to be reliable and valid in the author's previous research, with adequate internal consistency scores ranging from .69 to .82 for the self-deception management subscale and .63 to .71 for the impression management subscale. The

subscales Cronbach's alpha score for the current study was .73 for self-deception management and .71 for impression management, with a total scale Cronbach's alpha of .77.

Updated Illinois Rape-Myth Acceptance Scale – Revised

The updated Illinois Rape Myth Acceptance Scale (uIRMA) (McMahon & Farmer, 2011) was administered to assess respondents' perceptions about sexual-based misconduct. The measure uses a five-point Likert scale (1 = "Strongly agree" to 5 = "Strongly disagree"), with higher scores indicating a greater rejection of rape/sexual misconduct myths. The measure includes 19 statements across five-factors, with sample items including statements such as, "When guys rape, it is usually because of their strong desire for sex" and "if both people are drunk it can't be rape." There were however a few notable changes to this measure in the current study. Similar to Fejervary (2017), it was believed that using the word, "rape," as well as gendered language that places men in the role of the wrongdoer and women in the role of the victim might impact the degree to which individuals respond to the survey items. Considerably, the measure was adjusted to use gender neutral language and the word "rape" was replaced with "sexual misconduct." The original uIRMA obtained a total Cronbach's alpha score of .87. The scales total Cronbach's alpha score for the current study was .90, which represented good internal consistency.

CHAPTER IV

RESULTS

Preliminary Analyses

   Data cleaning and evaluation of assumptions. Before testing the significance of the

proposed model, the data was cleaned and assessed. In total, 691 participants assessed the

survey. There were 50 truly empty cases deleted. An additional 93 respondents were removed for

failing the attention check questions, in addition to 7 respondents who reported an incorrect

name for the student wrongdoers, and 7 respondents who incorrectly identified the type of

offense involved in the vignette scenario. This resulted in the total deletion of 157 participants.

Next, Little's Missing Completely at Random (MCAR) test was conducted to determine whether

remaining missing data was missing completely at random. The test was non-significant, df =

393, χ^2 = 357.52, p = .90, indicating data were missing completely at random. Missing values

were thus replaced using expectation maximization procedures suggested by Tabachnick and

Fidell (2013).

   Next, the assumptions for the general linear model were assessed. These assumptions

include independence of errors, absence of outliers, normality of the residuals, linearity,

homoscedasticity, and absence of multicollinearity. Harm severity was first used as the

dependent variable which was assessed in association to RJAS and GBJWS scores. Next, the

three conduct sanctions (e.g., retributive, restorative, and no opinion/outcome) were used

individually as dependent variables in association to perceived harm severity. The independence

of errors assumption was assessed by examining the Durbin Watson values for each dependent

variable, and all values ranged in between 1 to 3 as desired. The absence of univariate outliers'

assumption was then assessed by examining the standardized scores for each study variable.

There were nine cases whose values exceeded the suggested cutoff of $z = +/- 3.29$, which indicates the presence of univariate outliers, therefore these cases were removed. The absence of multivariate outliers' assumption was then assessed by examining Mahalanobis distance values. There were four cases whose Mahalanobis distance value exceeded the critical value found on the chi-square table (when df = number of predictors and $p < .001$), thus these cases were detected as multivariate outliers and were also deleted.

The residual normality assumption was then assessed by examining histogram graphs of the standardized residuals for each dependent variable, and skewness and kurtosis values were assessed to indicate residual normality for each dependent variable. For all dependent variables, the skewness and kurtosis values were less than +/- 1, however, for restorative, the skewness value was not only negative, but was over twice of that of the standard error value, suggesting the variable was negatively skewed. For retributive and no outcome, the skewness values were less than twice of that of the standard error values. Additionally, the Shapiro-Wilk and Kolmogorov-Smirnov values for each dependent variable was examined to provide further information regarding normality. Results for all dependent variables resulted in significant test values, indicating the assumption of residual normality was not met, or questionable at best.

The assumption of linearity and homoscedasticity was then examined via a scatterplot graph of residuals. The bivariate scatterplot of the regression standardized residual and regression standardized predicted values did not indicate concerns of curvilinearity. Additionally, matrix scatterplots of relationships among variables were examined to assess the linearity assumption. Regarding homoscedasticity, the scatterplot of the standardized residuals was examined for each dependent variable. The data did not result in a distinct pattern for any of the analysis using all variables of interest, indicating this assumption was met (Tabachnick & Fidell,

2013). The multicollinearity assumption was assessed by examining the variance inflation factor (VIF), condition index, and tolerance levels of the predictors for each dependent variable. All VIF values were less than four, indicating this assumption was also met (Tabachnick & Fidell, 2013). Furthermore, as recommended by Belsley et al. (1980) the condition index for all variables of interest were below 30 and no dimension had more than one variance proportion greater than .50.

Covariates. Preliminary analyses were conducted to test if demographic variables (gender, age, race, affiliation) were related to the sanctioning objectives. First, given the small sample of gender nonbinary participants, a series of linear regressions were conducted to determine whether the combination of cisgender women and gender nonbinary participants was appropriate to include in the same group. This combination was determined due to the historical marginalization of these two gender groups in comparison to cisgender men. Results indicated that cisgender women and gender nonbinary participants' scores did not differ significantly on harm severity, retributive, restorative, or no opinion conduct sanction variables – suggesting that the combination of these two groups was acceptable in analyses examining mean differences. A one-way ANOVA was then conducted for each sanction objective with the coded gender variable (cisgender men = 0; cis gender women/gender nonbinary = 1) used as the independent variable. A significant effect was observed for restorative, $F(1, 520) = 3.97$, $p = .04$, with cisgender women/gender nonbinary ($M = 16.89$, $SD = 2.85$) participants showing more support than cisgender men ($M = 16.32$, $SD = 3.15$). A significant effect also occurred for no opinion, $F(1, 520) = 16.62$, $p < .001$, with cisgender men reporting more support ($M = 9.94$, $SD = 3.11$) than cisgender women/gender nonbinary participants ($M = 8.71$, $SD = 3.15$). There was no significant effect for retributive, $F(1, 520) = 1.23$, $p = .268$.

Bivariate correlations were conducted between age and each sanction type. There were significant correlations between age and retributive, $r = -.28$, $p < .001$. There was not a significant correlation between age and restorative, $r = .02$, $p = .678$, and no opinion, $r = .02$, $p = .649$. Regarding race, one-way ANOVAs were conducted with race (White = 0; racial minority = 1) as the independent variable. There were no significant effects involving race: retributive, $F(1, 520) = 2.89$, $p = .089$, restorative, $F(1, 520) = 1.98$, $p = .159$, and no opinion, $F(1, 520) = 2.93$, $p = .087$. Additionally, affiliation status (college/university faculty/staff/administrator = 0; undergraduate and graduate students = 1) was examined. There was a significant effect for retributive, $F(1, 520) = 31.51$, $p < .001$, with students reporting more support ($M = 16.24$, $SD = 5.86$) than faculty/staff and administrators ($M = 11.71$, $SD = 4.74$). There was not a significant effect for restorative, $F(1, 520) = .616$, $p = .433$, or no opinion, $F(1, 520) = 3.646$, $p = .057$. Because gender, age, and affiliation were related to some of the sanction objectives, they were included as control variables in the main analyses.

Additional ANOVAs were conducted to examine whether the rape myth acceptance (uIRMA) scores were related to harm severity, or each of the three conduct sanctions. There were significant effects for retributive, $F(43, 520) = 2.48$, $p < .001$, and no opinion, $F(43, 520) = 2.24$, $p < .001$ conduct sanctions. There was no significant effect for restorative, $F(43, 520) = 1.28$, $p = .117$. Additionally, there was a significant effect for harm severity, $F(43, 520) = 2.558$, $p < .001$. Therefore, uIRMA scores were also included as a control variable in the main analyses. See Table 2 for correlations of study variables. Of note, BIDR-16 scores were not significantly related to any study variables, suggesting that socially desirability did not significantly influence participants reported scores; however, this variable was still used as an influential covariate.

Table 2

Correlation Matrix and Descriptive Statistics

Variables	1	2	3	4	5	6	7	8	*M*	*SD*
1. RJAS[a]	1.00								73.72	8.72
2. GBJWS[b]	-.163**	1.00							19.80	5.70
3. BIDR[c]	.055	.083	1.00						73.75	14.42
4. uIRMA[d]	-.145**	.359**	.071	1.00					30.71	9.88
5. Harm Severity	.013	-.187**	.034	-.343**	1.00				72.62	19.16
6. Retributive	-.062	-.107*	.035	-.316**	.592**	1.00			11.13	4.82
7. Restorative	.519**	-.132**	.012	-.052	-.110*	-.277**	1.00		16.72	2.95
8. No Opinion	-.252**	.213**	-.077	.336**	-.230**	-.227**	.-.099*	1.00	9.07	3.19

Note. [a]Restorative Justice Attitudes Scale, [b]Global Beliefs in a Just World Scale, [c]Balanced Inventory of Desirable Responding, [d]updated Illinois Rape Myth Acceptance Scale. * $p < .05$, ** $p < .01$.

Analyses of variance. As a preliminary analysis, ANOVAs were conducted to examine whether significant differences existed across the White and Black racial vignette assignment groups on all principal study variables. Results revealed that there were no significant differences between groups on the RJAS ($p = .85$) and GBJWS ($p = .79$) measures that were presented before presentation of the harm vignette scenarios. Additionally, there were no significant differences between groups on BIDR ($p = .74$) and uIRMA ($p = .10$) measures, suggesting that both groups reported relatively similar scores of socially desirable responding and attitudes toward sexual misconduct. However, in terms of harm severity, results suggested that there were significant ($p < .01$) differences between groups, such that those who received the vignette with the White student wrongdoer rated the incident as significantly more severe than those who received the vignette with the Black student depicted as the wrongdoer. With regard to the conduct sanctions, results also suggested that there were significant differences between the racial vignette groups for retributive ($p < .01$) and restorative ($p < .01$) sanctions, such that, those who received the vignette with the White student depicted as the wrongdoer were significantly

more supportive of retributive sanctions, and significantly less supportive of the White student

receiving restorative sanctions as compared to those who received the vignette depicting the

Black student as the wrongdoer. There were no significant (p = .94) differences between groups

regarding the no opinion sanction. See Table 3 for full ANOVA results, including scale means

and standard deviations.

Table 3

*Descriptive Statistics and ANOVAs by Racial Vignette Assignment*

	Racial Vignette Assignment				
	Black (n = 267)		White (n = 254)		
Variable	*M*	*SD*	*M*	*SD*	*F*(1,520)
RJAS	73.79	8.49	73.64	8.97	.034
GBJWS	19.87	5.78	19.74	5.63	.069
BIDR	73.54	14.08	73.96	14.78	.107
IRMA	31.40	10.11	29.98	9.60	2.671
Harm Severity	70.46	19.25	74.90	18.82	7.088*
Retributive	10.39	4.84	11.91	4.68	13.248**
Restorative	17.07	2.83	16.36	3.03	7.597*
No Opinion	9.06	3.23	9.08	3.14	.005

Note. N = 521. RJAS = Restorative Justice Attitude Scale; GBJWS = Global Beliefs in a Just World Scale;
BIDR = Balanced Inventory of Desirable Responding; IRMA = updated Illinois Rape Myth
Acceptance Scale. *p < .05, **p < .001.

Harm severity levels. Before analyzing the structural equation model, one-way

ANCOVAs were conducted to test whether harm severity levels influenced each dependent

variable (i.e., retributive, restorative, no opinion) for participants within both racial vignette

group assignments. In each one-way ANCOVA, harm severity scores were dummy coded (1 =

low, 2 = medium, 3 = high) and included as the independent variable, and gender, age, affiliation

status, BIDR, and uIRMA scores were included as control variables. Conditions for the harm

severity levels were low (1 to 50), medium (51 to 75), and high (76 to 100). The frequency of

participants harm severity scores across the three levels were: White racial vignette group (low, *n*

= 36; medium, *n* = 86; high, *n* = 132), and Black racial vignette group (low, *n* = 49; medium, *n* =

103; high, $n = 115$). A chi-square test resulted in no significant difference ($p = .11$) between the groups on their scores across perceived harm severity levels. See Figure 2.

Figure 2

Frequency of Harm Severity Scores

Harm Severity Levels

□ White Vignette Group   ■ Black Vignette Group
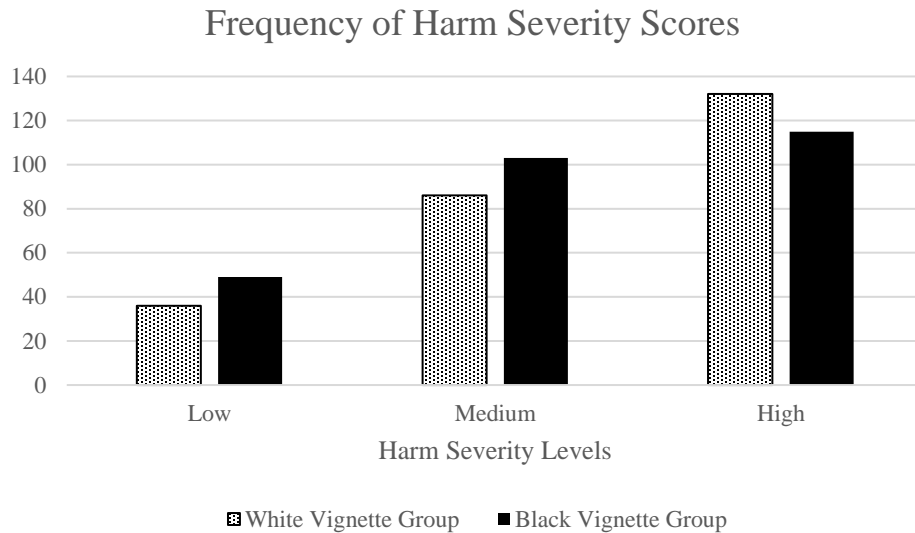
Harm severity scores were then compared across each of the three conduct sanctioning objectives. Scores for the conduct sanctioning objectives were mean centered. Regarding support for retribution, there was a significant effect for harm severity for both the White, $F(2, 246) = 30.23, p < .001$, and Black, $F(2, 259) = 38.14, p < .001$, racial vignette groups. Bonferroni pairwise comparison of estimated marginal means (post hoc tests) showed a significant increase in support for retribution across low to medium (p < .001) and medium to high (p < .001) severity levels for both the White (8.71 to 11.81 and 11.81 to 13.79, respectively) and Black (7.89 to 11.07 and 11.07 to 13.11, respectively) racial vignette groups. See Figure 3a.

For restorative sanctions, there was not a significant effect for harm severity for the White racial vignette group, $F(2, 246) = .416, p = .66$. However, the effect for harm severity was statistically significant for the Black racial vignette group, $F(2, 259) = 57.76, p < .001$. Post hoc tests showed a significant decrease in participants support for restorative sanctions across the low to medium (17.66 to 16.94; $p < .001$) and low to high (17.66 to 16.49; $p = .004$) severity levels.

There was not a significant decrease in support between the medium to high condition. See Figure 3b.

In terms of no opinion, there was a significant effect for harm severity for the White racial vignette group, $F(2, 246) = 5.07$, $p = .007$, and for the Black racial vignette group, $F(2, 259) = 4.95$, $p = .008$. Post hoc tests revealed a significant increase in participants support for having their opinion heard as harm severity scores decreased from low to high (9.92 to 8.62; $p = .008$) for those who received the White student wrongdoer vignette, and as harm severity scores decreased from low to high (9.24 to 8.78; $p = .006$) for those who received the vignette depicting the Black student as the wrongdoer. See Figure 3c.

Figure 3a
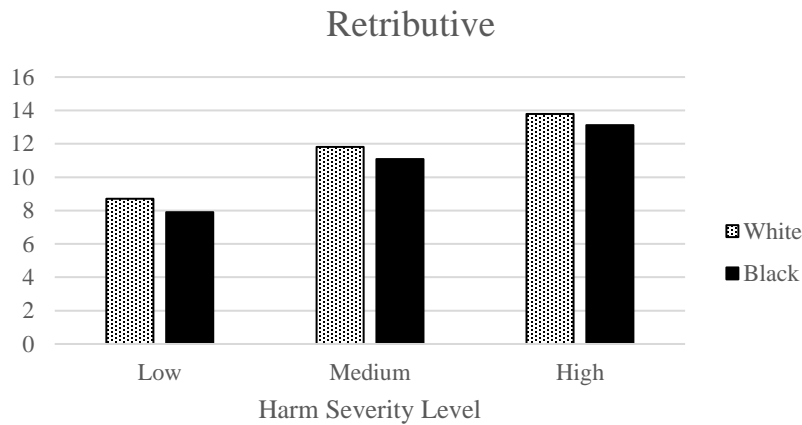
Figure 3b
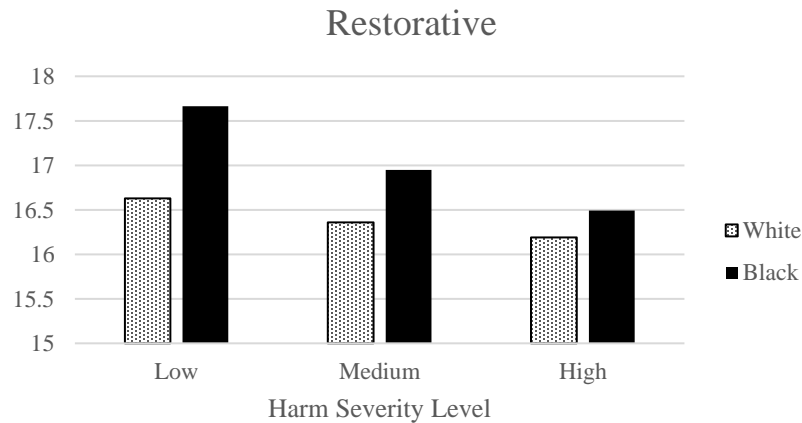
Figure 3c
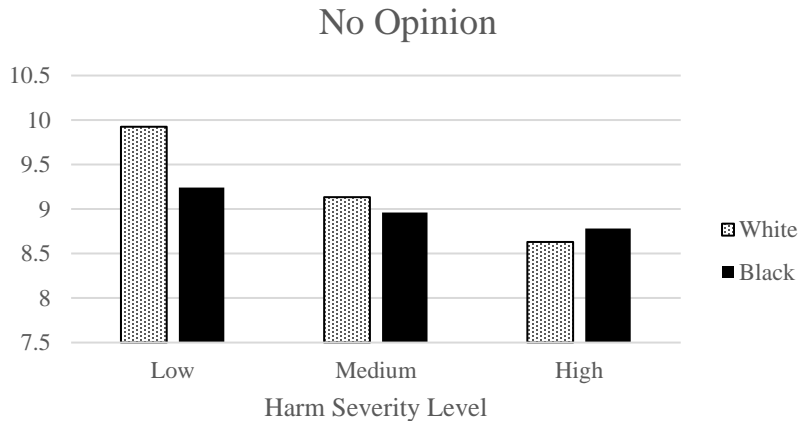
No Opinion

Note. Figures represent perceived harm severity scores (low, medium, and high) related to retributive (3a), restorative (3b), and no opinion (3c) conduct sanctions between the Black and White racial vignette group assignments.

Structural Equation Modeling

Structural equation modeling, using IBM AMOS v.24 (Arbuckle, 2014), was conducted to test how well the survey items measured their intended constructs, referred to as the measurement model, and to test the relationships between constructs, referred to as the structural model. Maximum likelihood parameter estimates were used which yield conventional standard errors and a conventional chi-square statistic (Kline, 2016). The significance of each effect was based on a bias-corrected bootstrapping procedure (1000 bootstrap samples were used) considering results suggesting that data normality was questionable (Byrne, 2016). Multiple goodness of fit indices were used to evaluate model fit, including chi square (χ^2), comparative fit index (CFI), root-mean-square error of approximation (RMSEA), and standardized root mean square residual (SRMR). According to Hu and Bentler (2009) and Hooper et al. (2008) χ^2 values should be non-significant, CFI values should be above .90, RMSEA values below .08 (with the lower value of the 90% confidence interval [CI] no worse than 0.05 and the upper value less than .08), and an SRMR value below .08. Of note, in larger samples, the chi-square value is almost always statistically significant and is thus less useful for evaluating model fit (Meade et al.,

2008). Gender, age, affiliation, BIDR, and uIRMA scores were included as control variables (not shown in figure).

The originally proposed model had poor model fit, χ^2 (81) = 434.011, p < .001, CFI = .869, RMSEA = .092, SRMR = .086. An examination of modification indices suggested that model fit could be improved by adding direct paths between RJAS and GBJWS variables and the three conduct sanctions, and as such, these paths were added, and model fit was re-evaluated (See Figure 4). Regarding the measurement model, each survey item significantly loaded on the construct it was designed to measure, all ps < .001. In addition, the overall revised model had adequate model fit, χ^2 (75) = 240.577, p < .001, CFI = .939, RMSEA = .065, SRMR = .053.

Figure 4
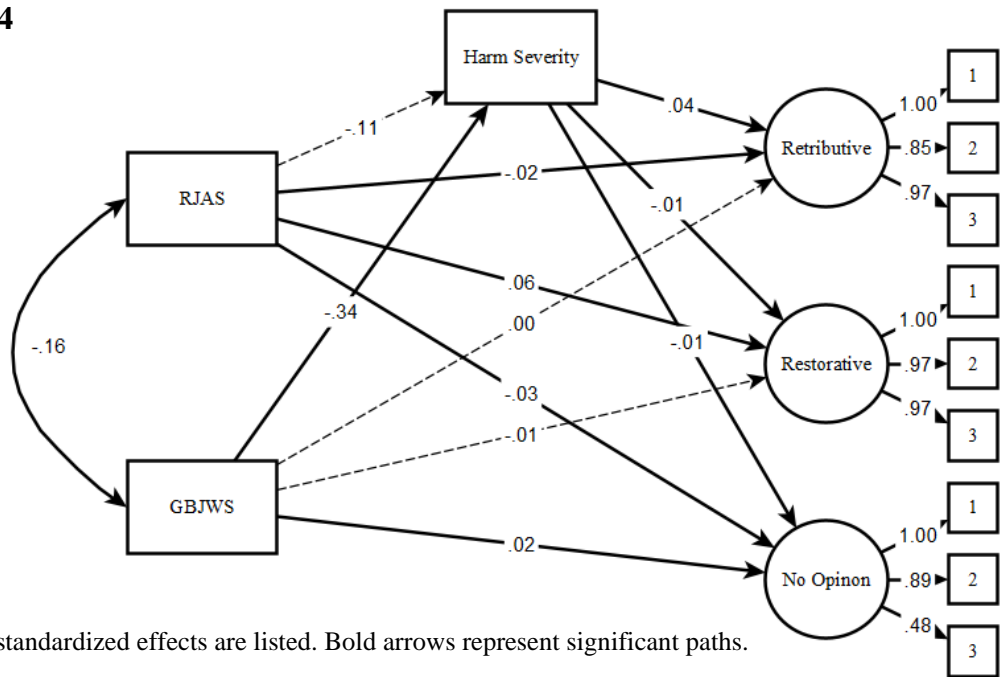
Note. Unstandardized effects are listed. Bold arrows represent significant paths.

Discussed first are the direct effects between the justice-attitude scores and the conduct sanctions. Results revealed a significant direct effect for RJAS scores and each of the three conduct sanctions. The effect was significant and negative for retributive and no opinion, suggesting that higher RJAS scores were associated with a decrease in support for retributive sanctions as well as a greater indication that the participants had an opinion in determining the

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sanction. The direct effect between RJAS scores and restorative sanctions was however positive, suggesting that as restorative justice attitude scores increased, so did individuals' support for restorative sanctions. Alternatively, regarding GBJWS scores, the results were mixed. The direct effect between GBJWS and no opinion was significant and positive suggesting that as individuals' just world beliefs scores increased, so did their indication that they should not be involved in determining the outcome or a greater likelihood that they did not have an opinion. However, the direct effect between GBJWS scores and the retributive and restorative conduct sanctions were non-significant. The total effect for GBJWS, harm severity, and no opinion conduct sanction was significant. See Table 4 for full results of total, direct, and indirect paths.

Table 4

Effects of RJAS, GBJWS, and Harm Severity on Sanctioning Objectives, SEM Analysis Full Sample

Sanctioning objective	Direct effect		Indirect effect Harm severity		Total effect		R^2
	RJAS Effect *SE* 95% CI	GBJWS Effect *SE* 95% CI	RJAS Effect *SE* 95% CI	GBJWS Effect *SE* 95% CI	RJAS Effect *SE* 95% CI	GBJWS Effect *SE* 95% CI	
Retributive	-.018*	.003	-.005	-.015*	-.023*	-.014	.471
	.007	.011	.004	.007	.008	.013	
	[-.032, -.004]	[-.020, .024]	[-.013, .004]	[-.029, -.002]	[-.040, -.007]	[-.039, .012]	
Restorative	.058**	-.013	.001	.002*	.059**	-.011	.414
	.005	.008	.001	.001	.005	.008	
	[.048, .070]	[-.030, .002]	[.000, .002]	[.000, .007]	[0.49, .071]	[-.028, .004]	
No Opinion	-.027*	.025*	.002	.002*	-.026*	.027*	.251
	.006	.011	.001	.002	.006	.011	
	[-.038, -.014]	[.004, .047]	[.001, .003]	[.000, .007]	[-.038, -.014]	[.006, .049]	

Note. Effects are unstandardized. R^2 is the percent of variance explained. *$p < .05$, **$p < .001$.

Next, in association to the study hypotheses, as it was inferred, there was a significant and negative direct effect between RJAS and GBJWS, ($\beta = -.163$, *SE* $= 3.70$, $p < .001$), supporting hypothesis one. Furthermore, in terms of hypothesis two, that there would a significant, negative direct effect between restorative justice attitudes and harm severity, results suggested that this hypothesis was only partially supported, ($\beta = -.111$, *SE* $= .091$, $p = .22$). The

effect was negative; however, it was non-significant. In terms of hypothesis three there was a significant, negative direct effect between GBJWS scores and harm severity, (β = -.342, *SE* = .149, *p* = .02), revealing that higher GBJWS scores were associated with a significant decrease in scores for perceived harm severity, contrary to the hypothesis. Additional effects between study variables (including controls) are available on Table 5.

Table 5

Path Coefficients Between Control and Principal Variables, SEM Analysis Full Sample

Variable	Age	Affiliation	Gender	BIDR	uIRMA
Harm Severity	-.173	3.586	-2.65	.083	-.665**
Retributive	-.038**	.246	-.362*	.004	-.034**
Restorative	-.008	-.210	.131	.001	.002
No Opinion	-.008	-.265	-.218	-.007	.026**

Note. Coefficients are unstandardized. Affiliation: faculty/staff = 0, student = 1; Gender: man = 0, woman/nonbinary = 1; BIDR = Balanced Inventory of Desirable Responding; IRMA = updated Illinois Rape Myth Acceptance Scale. **p* < .05, **p < .001.

Regarding hypothesis four, harm severity had a significant and positive indirect effect on retributive sanctions (β = .045, *SE* = .055, p < .001), and subsequently, harm severity had a significant and negative indirect effect on restorative sanctions (β = -.006, *SE* = .002, *p* = .003) as hypothesized. Additionally, though it was hypothesized that the effect would be non-significant, results showed that harm severity had a significant and negative indirect effect on no opinion (β = -.007, *SE* = .003, *p* = .02). Taken together, these results suggest that as harm severity scores increased, individuals were significantly more likely to support retributive sanctions, and significantly less likely to support restorative sanctions. In addition, an increase in harm severity scores were associated with an increase in individuals' beliefs that their opinion should be included in the sanctioning process.

Multigroup Structural Equation Modeling

MG-SEM was conducted to examine whether there were significant differences in support for conduct sanctions by function of racial vignette assignment. MG-SEM is a test of

measurement invariance that allows researchers to investigate the extent to which scores deviate

in structural models across groups (Sass et al., 2014). This procedure, also referred to as

Structured Means Modeling (SMM) allows for comparison across mean scores of participants in

each manipulated vignette group (Breitsohl, 2019; Byrne, 2016). The literature distinguishes four

levels of invariance in the following order: equal model structure (configural invariance), equal

indicator loadings (metric/weak invariance), equal indicator intercepts (scalar/strong invariance),

and equal measurement error variances (strict invariance) (Breitsohl, 2019). Considering that the

primary interest in the current study was to compare differences in group means for each specific

conduct sanctions, establishing configural, metric, and scalar invariance was of primary

importance. Measurement invariance model fit was compared across models using a chi-square

difference test ($\Delta\chi^2$). In addition, because scholars have recommended using multiple indicators

of model difference or similarity (Cheung & Rensvold, 2002; Meade, et al., 2008; Sass, et al.,

2014), change in CFI (ΔCFI), RMSEA (ΔRMSEA), and SRMR (ΔSRMR) was calculated.

Cheung and Rensvold (2002) recommended cut-offs of ΔCFI > .01 and ΔRMSEA > .015 to

indicate noninvariance, and Chen (2007) suggested a change in SRMR cutoff criterion of .03 (for

metric invariance) or .015 (for scalar invariance).

It was hypothesized that the configural structure would hold consistent and would not

differ across groups when all factor loadings and thresholds were freely estimated. Configural

invariance was supported. Next, indicator loadings were constrained to equality between groups

(metric invariance). A χ^2 difference test between the "metric" and the "configural" model

remained nonsignificant ($p = .72$) indicating metric invariance was obtained. Finally, indicator

intercepts were constrained to equality between groups (scalar invariance). A χ^2 difference test

between the "scalar" and the "metric" model also remained nonsignificant ($p = .68$), indicating

scalar invariance was obtained. See Table 6 for results comparing the configural, metric, and

scalar models. These results suggested readiness for our hypothesis testing (Breitsohl, 2019).

Table 6

Multi-Group Confirmatory Factor Analyses (MG-CFA) and Tests of Measurement Invariance Across Racial Vignette Assignment

Model	χ^2	df	$\Delta\chi^2$	Δdf	CFI	RMSEA	SRMR	ΔCFI	$\Delta RMSEA$	$\Delta SRMR$
Black ($n = 267$)	110.635***	75			.975	.042 [.024, .058]	.042			
White ($n = 254$)	220.375***	75			.886	.088 [.074, .101]	.069			
Configural model	331.021***	150	-	-	.933	.048 [.041, .055]	.043	-	-	-
Metric model	334.671***	156	3.650	6	.933	.047 [.040, .054]	.043	.000	.001	.000
Scalar model	363.335***	187	32.65	31	.934	.043 [.036, .049]	.049	.001	.005	.006
Retributive constrained	331.242***	151	.221	1	.933	.048 [.041, .055]	.043	.000	.000	.000
Restorative constrained	337.429***	151	6.408*	1	.931	.049 [.042, .056]	.048	.002	.001	.005
No Opinion constrained	332.096***	151	1.075	1	.933	.048 [.041, .055]	.042	.000	.000	.001

Note. CFI = comparative fit index; RMSEA = root mean square error of approximation [95% Confidence intervals]. SRMR = Standardized Root Mean Square Residual. Constrained models are compared to the configural model. *$p < .05$. ** $p < .01$. *** $p < .001$.

Assessing racial vignette group differences. It was hypothesized that there would be

significant differences in support for retributive and restorative conduct sanctions by function of

racial vignette assignment. To examine this hypothesis, a model fit comparison was examined in

which each path between harm severity and retributive, restorative, and no opinion conduct

sanctions were individually constrained to equality and compared to the freely estimated model.

This test reveals whether the null hypothesis (of zero difference between harm severity scores on

conduct sanctions between racial vignette group assignments) can be rejected. If model fit

deteriorates with the more constrained model, namely, if the χ^2 difference test is significant, the

null hypothesis can be rejected suggesting significant differences in the mean values exists

across groups (Breitsohl, 2019). Results revealed no significant differences in model fit when

accessing the paths between harm severity and retributive ($p = .64$), and no opinion ($p = .30$)

conduct sanctions. However, there was a significant difference ($p = .01$) in model fit when the path between harm severity and restorative sanctions was constrained to equality. This lack of equality suggests that, based on levels of perceived harm severity, significant differences were found in terms of participants' support for restorative sanctions across the racial vignette group assignments. In further examining the path estimates of the unconstrained model, it was found that the effect between harm severity and restorative sanctions was positive and non-significant for the White racial vignette assignment group ($\beta = .001$, SE = .003, $p = .934$), however, the effect was negative and statistically significant for the Black racial vignette group ($\beta = -.011$, SE = .003, $p < .001$). This result suggests that participants who received the vignette with the Black student depicted as the wrongdoer were significantly less likely to support restorative sanctions as scores for harm severity increased, however, there was no significant difference in the effect between harm severity scores and support for restorative sanctions for those who received the vignette that depicted the wrongdoer as White. See Table 7 for a full overview of path coefficients between study variables (including control variables) and the conduct sanction objectives based on racial vignette group assignments.

Table 7

Path Coefficients Between Principal and Control Variables, MG-CFA Analysis by Racial Vignette Assignment

Variable	Harm Severity	RJAS	GBJWS	Age	Affiliation	Gender	BIDR	uIRMA
Black Racial Vignette Group								
Harm Severity	-	-.053	-.500*	-.214	3.921	-4.149	.042	-.576**
Retributive	.045**	-.016	.006	-.046**	-.033	-.316	.003	-.027*
Restorative	-.011**	.063**	-.027*	-.004	-.102	.091	-.002	-.001
No Opinion	.005	-.035**	.000	-.011	-.305	-.412*	-.004	.027*
White Racial Vignette Group								
Harm Severity	-	-.178	-.177	-.112	3.404	-.749	.119	-.741**
Retributive	.042**	-.021*	-.004	-.031*	.521*	-.349	.005	-.041**
Restorative	.000	.055**	.002	-.011	-.272	.134	.002	.005
No Opinion	-.011*	-.020*	.050**	-.006	-.249	-.100	-.009	.023*

Note. Coefficients are unstandardized for unconstrained model. Affiliation: faculty/staff = 0, student = 1; Gender: cisgender men = 0, cisgender woman/gender nonbinary = 1; BIDR = Balanced Inventory of Desirable Responding; IRMA = updated Illinois Rape Myth Acceptance Scale. *p < .05, **p < .001.

CHAPTER V

DISCUSSION

The current study is one of the first to examine how individuals within the campus community (e.g., students, faculty/staff, and administrators) might respond to students alleged of violating campus codes of conduct, specifically based on retributive and restorative frameworks of harm, wrongdoing, and punishment. This study explored whether individuals' justice-related attitudes associated with their restorative justice and global beliefs in a just world scale scores would predict their perceptions of harm severity and their support for retributive, restorative, and no opinion conduct sanctions. Additionally, this study examined how individuals might respond to conduct sanctions differently for Black as compared to White student wrongdoers when concerning an incident of sexual-based misconduct. Overall, the results of this study were mixed.

First, as hypothesized, RJAS scores and GBJWS scores were significantly and negatively related, suggesting that these two justice-frameworks differ from each other. Restorative justice is considered as a judicial approach that focuses on reconciliation and healing (Karp, 2013; Zehr, 2002), whereas, as evidenced by results of this study, global beliefs in a just world appears to be associated with more punitive modes of punishment. Moreover, result suggests that participants' RJAS and GBJWS scores significantly predicted how they might respond in a sanctioning process. More specifically, participants' restorative justice attitudes directly influenced their support for each conduct sanction type, whereas participants' global beliefs in a just world score influenced their support for conduct sanction types by way of their perceptions of harm severity. Individuals who highly value restorative justice as a theoretical concept are more likely to support restorative-based sanctions, and individuals who believe the world is fair and just, are significantly more likely to support retributive sanctions when the incident at hand is perceived

as being more severe. These results provide an additive benefit to the psychological literature considering the substantial finding of adequate model fit when comparing these two competing theories of justice, and that these alternatively conceptual justice frameworks can be used to study how justice-based sanctioning decisions are informed. If we aim to better understand the relative likelihood of how individuals might respond in conduct sanctioning processes, evaluating their attitudes about justice, and in addition, their perceptions about harm severity, may be an influential first step.

This study's results also revealed that individuals' perceptions of harm severity were significantly informed by their global beliefs in a just world, however, the effect was negative. This is to say, as participants' global beliefs in a just world scores increased, their perceived harm severity scores toward the scenario significantly decreased. It is plausible that the difference in the finding here as compared to previous research (e.g., Hafer & Begue, 2005) is due to differences in state versus trait worldviews. Participants responded to the justice-attitude items (GBJWS and RJAS) before they were given any context to the harm scenario, therefore their responses were likely based on their general beliefs about the world as opposed to responses connected to a specific event. Thus, specifics regarding the world being fair and just for *whom* and under *what* conditions were not captured in participants responses in this study. Uniquely however, participants' perceptions of harm severity were evaluated in response to the scenario provided, and as illustrated in Table 7, participants' GBJWS were significant only for those who received the Black student vignette. This finding is worthy of continued exploration in future research. Nonetheless, individuals who reported higher beliefs that the world is fair and just, perceived the sexual-based misconduct scenario presented in this study as significantly less severe.

Individuals' restorative justice attitudes did not however appear to influence their perceptions of harm severity. It is plausible that restorative justice is viewed as more of a neutral concept, and individuals' attitudes toward this process may thus have no bearing on the perceived severity of an incident of wrongdoing itself. Although participant's restorative justice attitudes did not inform their perceptions of harm severity, their perceived harm severity scores significantly predicted their support for restorative sanctions in the hypothesized direction. Support for restorative sanctioning also produced the highest average mean scores, suggesting that individuals were more supportive of restorative as compared retributive sanctioning methods for the sexual misconduct-based scenario. This finding infers that those within the campus community are in favor of the use of restorative-based sanctions. This may be due to the individual's awareness that restorative sanctioning, and reintegrating the wrongdoer into the campus community, can have a positive effect on the individual themselves as well as benefit the greater campus community. This study also found that individuals have greater desire to have their opinion (or voice) heard in sanctioning decision processes when the issue at hand is perceived as having a greater degree of severity.

Regarding racial group differences, on a surface level, it appeared that participants were significantly more supportive of restorative-based sanctions for the Black student as compared to the White student wrongdoer, however, in considering the level of perceived harm severity, the context of this result slightly changed. Although results suggested that harm severity scores were perceived as significantly higher for the White student wrongdoer, harm severity scores had no significant effect on whether the White student should receive a restorative-based sanction. While alternatively, even though the level of perceived harm severity was significantly lower for the Black student wrongdoer, individuals support of the Black student receiving a restorative

based sanction significantly decreased as harm severity scores increased. Moreover, GBJWS scores for the Black racial vignette group suggested that greater just world beliefs were associated with a significant decrease in participants' support for restorative sanctions – an effect that was not observed for the White racial vignette group. There may be several reasons for these results.

First, as earlier alluded, observing overt forms of racial discrimination can be difficult (Gordon, 2018). It is plausible that participants were aware of the racial manipulation in the current study which impacted the degree to which participants responded to the Black student wrongdoer. However, as a more subtle form of racism, participants covert decisions related to harm severity and restorative sanctions yielded significant findings. While we know that racism is not always overtly exhibited, there remains covert ways in which individuals' promotion of racism and racial discrimination appear (Coates, 2011). On the forefront, it may appear that participants favored the Black student more positively than the White student, however, under further examination, this was not entirely the case. While the overall scores for retributive sanctions were lower for the Black student as compared to the White student, and the overall scores for restorative sanctions were higher for the Black student wrongdoer as compared to the White student wrongdoer, the rate of decline in participants' support for restorative sanctioning when perceived levels of harm severity was taken into consideration shifted. This was an effect only found for those who received the Black student wrongdoer vignette. These results provide partial empirical support to the notion ascertained by Blas Pedreal (2014), that restorative justice may not always be a luxury afforded to people of color (based on perceptions of harm severity) and was similar to the K-12 education finding reported by Payne and Welch (2015).

Although there were no significant differences in retributive sanctions, which is to say that participants did not make subjective decisions to punish the Black student more severely than the White student, participants were less inclined to believe the Black student should engage in corrective-based processes as their perceptions of harm severity increased. Furthermore, the finding that harm severity appeared to have minimal effect on participants support for the White student receiving a restorative sanction was also telling. White men hold greater privilege, and as such, are afforded more opportunities to redress their behaviors to a greater degree than individuals of color (Liu, 2017). Although data suggests there are no differences in the extent to which White men and Black men commit crimes, Black men are more likely to be arrested, charged, and convicted of crimes in the U.S., and their sanctions tend to be longer and more severe (Smith et al., 2015). Additional examination of the evidence, using archived or other factually accessible data, must be examined to see whether such disparities in conduct sanctioning exist within the college/university setting. While the current study results did not seem to support this notion entirely, results suggest that accountability (through restorative sanctioning) may look different for Black as compared to White student wrongdoers as perceptions of harm severity change. That is, no matter how harmful or severe the situation is, White individuals may be granted the opportunity to engage in restorative processes to a greater extent than their racial minority counterparts. Considerably, and given the mixed findings of the current study's results, additional research is needed in this area.

Implications for Research

The current study presents several directions for future research. First, given the significant covariate effects observed, researchers are encouraged to examine the influence of gender, age, and university-affiliation status more fully. Results suggested that cis gender men

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were significantly less likely to have an opinion about the type of conduct sanction rendered, and cis gender women were significantly more likely to support restorative sanctions. Additionally, as age increased, participants were significantly less likely to support retributive sanctions. This was an interesting generational effect that is worth additional examination. Furthermore, results suggested that students were also significantly more punitive than faculty/staff/administrators, though there were no significant effects observed between affiliation status for the restorative and no opinion sanctions. Researchers may wish to examine the context of this finding more fully, as doing so will help to uncover what contextual factors must be taken into consideration when conduct sanctioning decisions are concerned.

Likewise, greater attention to literature on sexual misconduct attitudes are warranted. Given the finding that greater sexual misconduct myth acceptance was associated with greater support for retributive sanctions, higher scores for perceived harm severity, and a greater rejection of participants' beliefs that they should have an opinion in the sanctioning process, future researchers may wish to consider what factors influence participants' attitudes about sexual misconduct. As earlier noted, the current study also adjusted the language used in the survey measure to be non-gender specific and used the term "sexual misconduct" as opposed to "rape", and the measure's psychometric properties were still substantiated with these changes. Additional research may thus wish to consider whether individuals' attitudes toward sexual based misconduct, and support for conduct sanctions, differ based on additional demographic characteristics of victims and/or wrongdoers, such as gender or sexual orientation marginalization. Using Intersectional and Critical Race Theory perspectives (Ladson-Billings & Tate, 1996) may be useful, such as conducting permutations studies to examine degrees of difference based on salient identity factors – race, gender, social status, and sexual orientation

minority statuses – and the intersections of multiple marginalized identity. This too may yield important findings that will substantially benefit the literature.

Additional research is also needed that examines the impact of exclusionary discipline practices on student's mental health. Specifically, additional investigations may wish to examine the emotional impact and psychological well-being of students who receive retributive vs. restorative-based sanctions using both short-term and longitudinal research methodologies. This could include quantitative pre- and post-test measures to evaluate the effectiveness of restorative justice interventions in improving mental health outcomes of wrongdoers, victims-survivors, as well as those within the larger campus community after events of harm occur, as well as for reducing recidivism. Additionally, considering calls for increased community participatory action research (e.g., Cahill, 2007; Fine & Torre, 2004), future studies using qualitative research methodologies may be used to assess the implications and lived experiences of those who have experienced retributive and restorative-based sanctioning outcomes in higher education. It would be particularly insightful to examine student's future aspirations and possible, hoped for selves following their conduct sanctioning experiences (Markus & Nurius, 1986).

Implementation research is also an integral part of discipline reform and program evaluation, which too can provide additional evidence on the effectiveness of restorative justice practices (Frank & D'Souza, 2004). This type of research can be accomplished by collecting data from college/university offices that already engage in restorative justice work. Establishing empirical evidence based on actual data will help to establish research on the current utility, feasibility, and effectiveness of restorative justice in promoting campus safety, while also allowing for a deeper exploration into practices that may evoke racial bias and racial discrimination. Furthermore, there is a larger issue of accountability to which research must

address. Specifically, additional research is needed that examines the mechanisms to which accountability is fostered. This includes examining what specific restorative justice practices contribute to one being held accountable, as well as examinations on whether accountability leads to a reduction of future harms. Research within these areas may not only influence the empirical literature base on race, college discipline, and restorative justice, but will also significantly influence national advocacy and public policy efforts.

Implications for Advocacy and Public Policy

If we do not attend to the ways in which structural, systemic, and individual racism might influence one's willingness to engage in or accept restorative justice practices as a viable outcome, then the potential for racial disparities, and exclusionary practices in student conduct sanctioning processes will persist. We must therefore increase our public advocacy efforts and exert greater attention to injustices in college judicial conduct practices. As colleges and universities engage in diversity, equity, and inclusion initiatives, they must also examine how the potential for discriminatory actions might manifest itself in judicial practices and policies. Although federal legislation from the Department of Education has expanded opportunities for post-secondary institutions to engage in restorative justice practices – including within cases where sexual misconduct may be concerned – the decision to embed these practices in sanctioning processes are up to individual institutions.

Recent nationwide initiatives, such as the 2021 Protecting Our Students in Schools Act (H.R. 3836/S. 2029) which calls for reduction in exclusionary and harmful discipline practices and the improvement of school climate in K-12 education (Polishchuk, 2021), are also needed for institutions of higher education. Without clear guidance from public officials, some students will continue to find themselves further disadvantaged than others. This may depend on the

institution type, region, and other contextual factors concerning student's roles within the institution (e.g., student athletes). While investigations may be conducted to examine the psychological impacts of social exclusion, greater advocacy efforts are needed to improve campus community engagement. It is argued that these practices should promote healing for individuals on all ends of harm and wrongdoing (e.g., the wrongdoer, victim-survivor, and broader community). This can only be accomplished through the transformation of retributive practices currently utilized by most higher education institutions to instead include the adoption of restorative justice. Retributive sanctioning or rending harsher and longer penalties does not equal accountability. As Brubacher (2018) found, these decisions are highly informed by emotions, which too may differ based on the context of the situation at hand.

Furthermore, while the current study focused solely on a college/university context, it is important that the larger sociopolitical and public policy considerations of this study be examined more broadly. That is, change is also needed within the larger U.S. carceral system, and all nationwide judicial practices that contribute to the over representation of racial/ethnic minorities being harshly sanctioned. Increased action for social reform in these areas are needed. Concomitantly, it is worth noting that the current sociocultural/political climate likely had an impact on our study results. Data for this study was collected between March and April of 2021, during the time of the Derek Chauvin trial (a former White Minneapolis police officer found guilty of the death of George Floyd – a Black man). The murder reignited widespread protest from proponents of the Black Lives Matter movement and led to increased calls for racial justice in the U.S (Veil & Waymer, 2021). Additionally, in 2021 was the insurrection at the capital, in which a majority White crowd stormed the U.S. capital in their attempt to overturn the results of the 2021 Presidential election (Lucas, 2021). Of additional significance, and perhaps more

closely aligned with the current study objectives, is that cancel culture and the #MeToo

movement were widespread in the recent years preceding data collection for this study (Veil &

Waymer, 2021). This included incidents in which several sexual assault charges and convictions

were brought forward against prominent White males such as Larry Nasar, Jefferey Epstein, and

Harvey Weinstein for their years of alleged (and substantiated) sexual misconduct. Collectively,

these issues may have contributed to participant's response for greater retributive sanctions for

the White student wrongdoer as a means of holding White individuals accountable for their

actions to the same, if not a greater extent, than Black individuals. It is commonly noted that,

"the personal is political" (Cahill, 2007, p. 267), therefore, we must attend to the ways in which

pressing social issues inform individuals' judgements and opinions such as, perhaps, those of the

participants in this study. Considerably, we must also address how the current study's results can

significantly help to inform education, training, and psychological practice.

Implications for Education, Training, and Psychological Practice

There are several ways the results of this study can be embedded in education, training,

and psychological practice. First, as it pertains to addressing issues of harm and wrongdoing that

occurs within the campus community, university officials are encouraged to engage in critical

dialogues with students and the greater campus community about significant issues that occur, as

they have an impact on students' college experience in and outside of the classroom (Vaccaro,

2010). As noted by Abrica et al. (2021), the dimensions of race, ethnicity, power, and culture

differentially shape students' experiential realities in college learning environments. Therefore, it

would not only be important that these conversations occur, but they should also be done in a

way that does not undermine student's identity and subjective experiences following incidents of

harm and wrongdoing. This may be particularly important if restorative justice interventions are

utilized following acts of race-based harms or racial hate crimes. Educators and campus administrators should also receive training on how to appropriately handle difficult dialogues following acts of harm in the campus community. These collegiate professionals may benefit from trainings on restorative justice. Increased exposure to and teaching of restorative justice may help influence the degree to which restorative justice can be implemented in higher education judicial sanctioning processes. Within this, there is also the need to explore what aspects of restorative justice training and education help promote and sustain accountability.

Furthermore, student affairs administrators, and psychologists who serve as consultants, must also work to unearth racial inequities by working collaboratively to infuse diversity, equity, and inclusion initiatives in the student conduct sanctioning process (Hoffman & Mitchell, 2016; LePeau, 2018). That is, until administrative responses to student misconduct concerns are addressed in a way that disrupts majority culture of punitive discipline and eradicates systemic injustices of minoritized students, the discursive context of equity and justice within higher educational settings will be stifled. Furthermore, there is a need for intersectional and critical ideological examinations of all processes that contribute to the social devaluation and marginalization of individuals within the college context. Students who are found responsible for violating campus codes of conduct are still members of the campus community, and they too make financial investments by enrolling in classes to obtain a college degree. Punitive disciplinary practices have significant long-term financial implications for students who are required to separate themselves from their institution, temporarily or permanently, and these decisions usually result in loss of course credit and tend not to include financial refunds (Campbell et al., 2015; Kupchik & Catlaw, 2015). There are therefore additional collateral consequences that follow retributive sanctions that inflict greater harm on individuals aside from

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the sanction itself. This includes additional long-term difficulties such as admittance denial to future institutions after time has elapsed, thereby limiting the person's opportunities for future growth and mature development.

Campus leaders are encouraged to learn more about the benefits of restorative justice, and they too should learn how to effectively train others as a means of transforming the entire campus community culture, while also ensuring that accountability is sustained. Aside from assessing the heuristics of sexual misconduct attitudes and campus racial climate through campus-wide survey measures (Abrica et al., 2021; Lundy-Wagner & Winkle-Wagner, 2013), educators should engage in critical dialogues with students about these issues directly. Restorative justice approaches may be used to help meet this need through community healing circles and restorative sanctioning conferences that allow for more direct involvement and transparency between administrators and individuals within the campus community.

Finally, there is also the need to consider how counselors and mental health therapist can serve individuals impacted by harm and wrongdoing. Individuals within university counseling centers should have an active involvement in campus restorative justice processes. College counselors may provide therapeutic services to help individuals who have been directly and/or indirectly impacted by harm. This is particularly needed given the significant psychological toll and trauma that is endured by individuals who experience sexual victimization (see Dworkin et al., 2017), as well as racial trauma (Bryant-Davis & Ocampo, 2005; Carter, 2007). Additionally, college counselors may serve individuals who have committed acts of wrongdoing by helping the individuals better understand how their behaviors are harmful to others. This may involve working with the student to identify errors in their thinking, increasing their motivation to change, assessing alternative actions for exhibiting prosocial behaviors, and working to develop

safety plans to redress the degree to which the harmful encounters might continue. Collectively, engaging in additional work that centers transformation through education, mutual dialogue, and collective integration of the larger campus community may be what is needed to create and foster more cohesive and safer college campus communities.

Limitations

There are limitations to the current study that are worth noting. As researchers have alluded, examining implicit racial attitudes are difficult (Gordon, 2018). It is likely that participants considered additional information in determining their perceptions of harm severity and support for the conduct sanctions, however, it was not possible to examine each of these considerations in the current study. For example, although racial identity was used as the manipulated variable in the vignette, participant's may have considered undisclosed identity characteristics about the person who has been harmed. This could have contributed to differences based on in-group/out-group perspectives. That is, it is plausible that the perceptions of harm severity scores were lower for the Black racial vignette group due to participants imagining the victim as a Black person as well. Similar to findings that suggest lower prosecutorial conviction rates for crimes involving a Black offender and a Black victim (e.g., Kingsnorth & Lopez, 1998; Spohn & Spears, 1996), it could be that participants viewed the scenario as less severe, and subsequently, the sanctioning response as less important. Likewise, as Wenzel et al. (2008) and Brubacher (2018) alluded, when the wrongdoer is seen as an in-group member, there may be more interest in maintaining social bonds with the individual; thus, the in-group status between the majority White participants in this survey may explain the lack of effect observed toward participants support of the White student receiving a restorative sanction.

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The order effects of survey items may have also impacted the study results and it is plausible that participants were privy to the racial manipulation of vignette assignments. The quality control question asked participants to confirm the name of the student wrongdoer in the vignette which was presented right before the series of questions on conduct sanctions. This could have influenced how participants responded. Additionally, the results of this study cannot be generalized across all populations. Though a national sample was collected, we did not examine for differences between institution type (e.g., public vs. private, college/university size, urban vs. rural), which may influence the degree to which conduct sanction processes differ. Additionally, we did not examine specific majors or academic colleges to which participants were affiliated. The email recruitments were mostly sent to professors in psychology, education, criminal justice, and political sciences departments; however, participants were not asked about their specific academic major or roles within the college/university setting. Furthermore, the current study's sample was mostly liberal with approximately half of all participants identifying as Democrat. This too may have influenced the study results, given that those who endorse liberal ideology tend to favor criminal justice reform (Calaway et al., 2021) and endorse stronger attitudes in support for racial justice (Sims & Johnston, 2004) as compared to individuals who identify as more conservative.

Last, the study items developed for the conduct sanctions are worth mention. The Cronbach alphas for the restorative and no opinion conduct sanctions were marginally below standard (Cohen, 1988). It is plausible that the experimental nature of the research design impacted the degree to which participants responded to the conduct sanction items. For example, one of the deleted items stated the student should receive counseling services to redress their behaviors. This item however loaded significantly on both the restorative and retributive factors,

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suggesting that participants may view counseling as a necessity regardless of the sanction outcome. While these limitations are worth additional consideration, the overall study results yield significant findings that can be used to address and resolve experiences of harm and wrongdoing on college/university campuses, as well as in addressing racial differences in conduct sanctioning practices.

Conclusion

Racial inequity in K-12 student discipline has been documented through research, however, research has less often examined differences in the higher education context. This study examined whether support for retributive, restorative, and no opinion conduct sanctions differed based on individuals' restorative justice attitudes and global beliefs in a just world. Additionally, we examined the degree to which perceived harm severity might influence individuals' support for the various conduct sanctioning objectives. Results revealed some direct effects for RJAS and GBJWS scores and support for conduct sanction types, however, the direct effect for harm severity was only significant based on GBJWS scores. Furthermore, the indirect effects between harm severity and the conduct sanctions were significant and in the hypothesized directions. In general, as perceived harm severity increased, individuals were more likely to support retributive sanctions than restorative sanctions, whereas the opposite was true when perceived harm severity was low. Results also revealed that participants were significantly less supportive of retributive sanctions, and significantly more supportive of restorative sanctions for the Black student wrongdoer as compared to the White student wrongdoer. However, when considering levels of perceived harm severity, participants support for the Black student wrongdoer receiving a restorative sanction significantly decreased. Harm severity scores however had no significant effect on participant's support for the White student wrongdoer to

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receive a restorative-based sanction. Altogether the results of this study may be useful in helping to inform future policy maker's (including judicial affairs administrators in higher education, psychologists as consultants, and state and national legislators) decisions about college student judicial conduct sanctioning practices. Mechanisms must be established to eradicate punitive discipline, and racial inequities that negatively restrict students of color, and Black students more specifically, from receiving holistic, growth-oriented sanction options such as those based on the principles of restorative justice.

REFERENCES

Abrica, E. J., Hatch-Tocaimaza, D., & Rios-Aguilar, C. (2021). On the impossibilities of advancing racial justice in higher education research through reliance on the campus climate heuristic. *Journal of Diversity in Higher Education.* Advance online publication. https://doi.org/10.1037/dhe0000323

Alexander, C., & Becker, H. J. (1978). The use of vignettes in survey research. *Public Opinion Quarterly*, *42*, 93-104.

Alexander, M. (2010). *The new Jim Crow: Mass Incarceration in the Age of Colorblindness*. The New Press.

Ali, R. (2011). *Dear colleague letter*. Washington, DC: U.S. Department of Education, Office for Civil Rights.

American College Personnel Association. (n.d.). *Mission, vision, and values.* https://www.myacpa.org/values

American Psychological Association (APA; 2021). APA Equity, Diversity, and Inclusion (EDI) Framework. https://www.apa.org/about/apa/equity-diversity-inclusion/equity-division-inclusion-framework.pdf

American Psychological Association Zero Tolerance Task Force. (2008). Are zero tolerance policies effective in the schools?: An evidentiary review and recommendations. *American Psychologist*, *63*, 852-62. https://doi.org/10.1037/0003-066X.63.9.852

Anyon, Y., Gregory, A., Stone, S. I., Farrar, J., Jenson, J. M., McQueen, J., Downing, B., Greer, E., & Simmons, J. (2016). Restorative interventions and school discipline sanctions in a large urban school district. *American Education Research Journal*, *53*, 1663–1697. https://doi.org/10.3102/0002831216675719

Arbuckle, J. L. (2014). Amos (Version 24.0) [computer software]. IBM SPSS.

Baldizan, E. M. (2008). Ethics and decision making. In J. M. Lancaster & D. M. Waryold (Eds.),
Student conduct practice: The complete guide for student affairs professionals (pp. 135–
151). Stylus.

Barrett, N., McEachin, A., Mills, J. N., & Valant, J. (2017). *Disparities in student discipline by
race and family income* [Technical report]. Retrieved from
https://educationresearchalliancenola.org/files/publications/010418-Barrett-McEachin-
Mills-Valant-Disparities-in-Student-Discipline-by-Race-and-Family-Income.pdf

Belsley, D., Kuh, E., & Welsch, R. (1980). *Identifying Influential Data and Sources of
Collinearity*, Wiley.

Blas Pedreal, M. L. (2014). Restorative justice programs in higher education. *The Vermont
Connection*, *35*, 5.

Breitsohl, H. (2019). Beyond ANOVA: An introduction to structural equation models for
experimental designs. *Organizational Research Methods*, *22*, 649–677.
https://dx.doi.org/10.1177/1094428118754988

Brodsky, A. (2016). A rising tide: Learning about fair disciplinary process from Title IX. *Journal
of Legal Education*, *66*, 822–849. Retrieved from http://jle.aals.org/

Brubacher, M. R. (2018). Third-party support for retribution, rehabilitation, and giving an
offender a clean slate. *Psychology, Public Policy, and Law, 24*, 503-517.
https://doi.org/10.1037/law0000179

Bryant-Davis, T., & Ocampo, C. (2005). Racist-incident-based trauma. *The Counseling
Psychologist*, *33*(4), 479-500. https://doi.org/10.1177/0011000005276465

Byrne, B. M. (2016). *Structural Equation Modelling with AMOS Basic Concepts, Applications, and Programming* (3rd ed.). New York Routledge

Cahill, C. (2007). The personal is Political: Developing new subjectivities through participatory action research. *Gender, Place & Culture: A Journal of Feminist Geography*, *14*(3), 267–292. https://doi.org/10.1080/09663690701324904

Calaway, W. R., Kinsley, J. M., & Wadian, T. (2021). The role of judicial political affiliation in criminal sentencing outcomes. *Wayne Law Review, 66(2),* 347-380. https://dx.doi.org/10.2139/ssrn.3698150

Campbell, C. A., Deil, A. R., & Rios, A. C. (2015). Do financial aid policies unintentionally punish the poor, and what can we do about it? *New Directions for Community Colleges*, *2015*(172), 67–76. https://doi.org/10.1002/cc.20164

Carter, R. T. (2007). Racism and psychological and emotional injury: Recognizing and assessing race-based traumatic stress. *The Counseling Psychologist, 35*(1), 13-105. https://doi.org/10.1177/0011000006292033

Chen, F. (2007). Sensitivity of goodness of fit indexes to lack of measurement invariance. *Structural Equation Modeling*, *14*, 464–504. http://dx.doi.org/10.1080/10705510701301834

Cheung, G. W., & Rensvold, R. B. (2002). Evaluating goodness-of-fit indexes for testing measurement invariance. *Structural Equation Modeling, 9,* 233–255. http://dx.doi.org/10.1207/S15328007SEM0902-5

Coates, R. D. (2011). Covert racism in the US and globally. *Sociology Compass*, *2*(1), 208-231. https://doi.org/10.1163/ej.9789004203655.i-461.89

Cohen, J. (1988). *Statistical power analysis for the behavioral sciences (2nd ed.*). Lawrence

    Erlbaum Associates.

Davis, F. E. (2019). *The little book of race and restorative justice: Black lives, healing, and U.S.*

    social transformation. Good Books.

DeBruine, L., Jones, B., Little, A., & Perrett, D. (2008). Social perception of facial resemblance

    in humans. *Archives of Sexual Behavior*, *37*, 64–77.

    https://doi-org/10.1007/s10508-007-9266-0

Devine, D. J., & Caughlin, D. E. (2014). Do they matter? A meta-analytic investigation of

    individual characteristics and guilt judgments. *Psychology, Public Policy, and Law*, *20*,

    109–134. https://doi.org/10.1037/law0000006

Dworkin, E. R., Menon, S. V., Bystrynski, J., & Allen, N. E. (2017). Sexual assault victimization

    and psychopathology: A review and meta-analysis. *Clinical Psychology Review*, *56*, 65–

    81. https://doi.org/10.1016/j.cpr.2017.06.002

Faul, F., Erdfelder, E., Buchner, A., & Lang, A.-G. (2009). Statistical power analyses using

    G*Power 3.1: Tests for correlation and regression analyses. *Behavior Research*

    Methods, *41*, 1149-1160. https://doi.org/10.3758/BRM.41.4.1149

Fejervary, J. (2017). *Words matter: Measuring rape myth acceptance through survey design*

    (Master's thesis). Retrieved from https://core.ac.uk/download/pdf/151423147.pdf

Ferguson, A. A. (2000). *Bad boys: Public schools in the making of Black masculinity. Law,*

    meaning, and violence Series.

Fine, M., & Torre, M. E. (2004). Re-membering exclusions: participatory action research in

    public institutions. *Qualitative Research in Psychology*, *1*(1), 15–37.

    https://doi.org/10.1191/1478088704qp003oa

Frank, H. A., & D'Souza, J. (2004). Twelve years into the performance measurement revolution: Where we need to go in implementation research. *International Journal of Public Administration*, *27*(8/9), 701–718. https://doi.org/10.1081/PAD-120030262

Freeman, N. J. (2006). Socioeconomic status and belief in a just world: Sentencing of criminal defendants. *Journal of Applied Social Psychology, 36,* 2379–2394. https://doi.org/10.1111/j.0021-9029.2006.00108.x

Gavrielides, T. (2014). Bringing race relations into the restorative justice debate: An alternative and personalized vision of "the other." *Journal of Black Studies*, *45*, 216–246. https://doi.org/10.1177/0021934714526042

Gerbasi, K. C., Zuckerman, M., & Reis, H. T. (1977). Justice needs a new blindfold: A review of mock jury research. *Psychological Bulletin*, *84*, 323-345. https://doi.org/10.1037/0033-2909.84.2.323

Gerber, M., & Jackson, J. (2013). Retribution as revenge and retribution as just deserts. *Social Justice Research*, *26*, 61–80. https://doi.org/10.1007/s11211-012-0174-7

Giacomini, N. G., & Schrage, J. M. (2009). *Reframing Campus Conflict: Student Conduct Practice Through a Social Justice Lens*. Stylus Publishing.

Gooden, M. A., & O'Doherty, A. (2015). Do you see what I see? Fostering aspiring leaders' racial awareness. *Urban Education*, *50*(2), 225–255. https://doi.org/10.1177/0042085914534273

Gordon, N. (2018). *Disproportionality in Student Discipline: Connecting Policy to Research.* Brookings Institute.

Gregory, A., Skiba, R. J., & Noguera, P. A. (2010). The achievement gap and the discipline gap: Two sides of the same coin? *Educational Researcher*, *39*, 59–68.

https://doi.org/10.3102/0013189X09357621

Gromet, D. M., & Darley, J. M. (2006). Restoration and retribution: How including retributive
   components affects the acceptability of restorative justice procedures. *Social Justice
   Research*, *19*, 395–432. https://doi.org/10.1007/s11211-006-0023-7

Hafer, C. L., & Begue, L. (2005). Experimental research on Just-World Theory: Problems,
   developments, and future challenges. *Psychological Bulletin*, *131*, 128-167.
   https://doi.org/10.1037/0033-2909.131.1.128

Hart, C. M., Ritchie, T. D., Hepper, E. G., & Gebauer, J. E. (2015). The Balanced Inventory of
   Desirable Responding Short Form (BIDR-16). *SAGE Open*, *5*, 1-9.
   https://doi.org/10.1177/2158244015621113

Hellman, C. M., Muilenburg-Trevino, E. M., & Worley, J. A. (2008). The belief in a just world:
   an examination of reliability estimates across three measures. *Journal of Personality
   Assessment*, *90*, 399-401. https://doi.org/10.1080/00223890802108238

Hoffman, G. D., & Mitchell, T. D. (2016). Making diversity "everyone's business": A discourse
   analysis of institutional responses to student activism for equity and inclusion. *Journal of
   Diversity in Higher Education, 9*(3), 277–289. https://doi.org/10.1037/dhe0000037

Hooper, D., Coughlan, J., & Mullen, M. R. (2008). Structural equation modelling: guidelines for
   determining model fit. *Electronic Journal of Business Research Methods*, *6*,
   5360. https://doi.org/10.1037/1082-989X.12.1.58

Hu, L., & Bentler, P. M. (2009). Cutoff criteria for fit indexes in covariance structure analysis:
   Conventional criteria versus new alternatives. *Structural Equation Modeling: A
   Multidisciplinary Journal, 6,* 1-55. https://doi.org/10.1080/10705519909540118

Huston, C. (2015). Restorative justice: A comparative analysis of campus implementation

    (Honors Thesis). http://digitalcommons.library.umaine.edu/honors/218/

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990,

    20 U.S.C. §1092(f) (2018)

Johnson, A. M. (2017). Title IX narratives, intersectionality, and male-biased conceptions of

    racism. *Georgetown Journal of Law & Modern Critical Race Perspectives, 9,* 57-76.

    https://www.jstor.org/stable/26453522

Kaplan, M. (2017). Restorative justice and campus sexual misconduct. *Temple Law Review,*

    89, 701-746. Retrieved from

    https://www.templelawreview.org/lawreview/assets/uploads/2017/08/Kaplan-89-Temp-

    L.-Rev.-701.pdf

Karp, D. R. (2013). *The Little Book of Restorative Justice for Colleges and Universities:*

    Repairing Harm and Rebuilding Trust in Response to Student Misconduct. Good Books.

Karp, D. R., & Breslin, B. (2001). Restorative justice in school communities. *Youth & Society,*

    33, 249–272. https://doi.org/10.1177/0044118X01033002006

Karp, D. R., & Sacks, C. (2014). Student conduct, restorative justice, and student development:

    Findings from the STARR project: A student accountability and restorative research

    project. *Contemporary Justice Review, 17*, 154-172.

    https://doi.org/10.1080/10282580.2014.915140

Kingsnorth, R., & Lopez, J. (1998). Adult sexual assault: The role of racial/ethnic composition in

    prosecution and sentencing. *Journal of Criminal Justice*, *26*(5), 359. https://doi-

    org/10.1016/S0047-2352(98)00012-9

Kline, R. B. (2016). *Methodology in the Social Sciences. Principles and Practice of Structural Equation Modeling (4th ed.).* Guilford Press.

Koss, M. P., Wilgus, J. K., & Williamsen, K. M. (2014). Campus sexual misconduct: Restorative justice approaches to enhance compliance with Title IX guidance. *Trauma, Violence & Abuse*, *15*, 242–257. https://dx.doi.org/10.1177/1524838014521500

Kupchik, A., & Catlaw, T. J. (2015). Discipline and participation: The long-term effects of suspension and school security on the political and civic engagement of youth. *Youth & Society*, *47*(1), 95–124. https://doi.org/10.1177/0044118X14544675

Ladson-Billings, G., & Tate, W. F. (1996). Toward a critical race theory of education. In A. D. Dixson, C. K. Rousseau Anderson, & J. K. Donnor (Eds). *Critical Race Theory in Education*. Routledge

Lawson, K. (2015). Police shooting of black men and implicit racial bias: Can't we all just get along. *University of Hawai'i Law Review*, *37*, 339-380. http://hdl.handle.net/10125/66072

LePeau, L. A. (2018). Examining the experiences and characteristics of academic affairs and student affairs leaders identifying as social gadflies. *Journal of Diversity in Higher Education, 11*(4), 402–417. https://doi.org/10.1037/dhe0000072

Lerner, M. J. (1980). *The Belief in a Just World: A Fundamental Decision*. Plenum.

Lipkus, I. (1991). The construction and preliminary validation of a Global Belief in a Just World Scale and the exploratory analysis of the Multidimensional Belief in a Just World. *Personality and Individual Differences*, *12*, 1171–1178. https://doi.org/10.1016/0191-8869(91)90081-L

Liu, W. M. (2017). White male power and privilege: The relationship between White supremacy
and social class. *Journal of Counseling Psychology*, *64*(4), 349–358.
https://doi.org/10.1037/cou0000227

Lopez-Phillips, M., & Trageser, S. P. (2008). Development and diversity: A social justice model.
In J. M. Lancaster & D. M. Waryold (Eds.), *Student Conduct Practice: The Complete
Guide for Student Affairs Professionals* (pp. 119–134). Stylus.

Lowery, J. W. (2008). Laws, policies, and mandates. In J. M. Lancaster & D. M. Waryold (Eds.),
Student Conduct Practice: The Complete Guide for Student Affairs Professionals (pp.
71–96). Stylus.

Lowery, J. W., & Dannells, M. (2004). Contemporary practice in student judicial affairs:
Strengths and weaknesses. In D.R. Karp and T. Allena (eds.), *Restorative Justice on the
College Campus: Promoting Student Growth and Responsibility, and Reawakening the
Spirit of Campus Community*. Charles C Thomas.

Lucas, N. (2021). Right-wing terrorism in America through the lens of the capitol riot. *Hare &
Bell Writing Contest*, *6*. https://scholarspace.jccc.edu/hare_bell/6

Lundy-Wagner, V., & Winkle-Wagner, R. (2013). A harassing climate? Sexual harassment and
campus racial climate research. *Journal of Diversity in Higher Education, 6*(1), 51–
68. https://doi.org/10.1037/a0031576

Markus, H., & Nurius, P. (1986). Possible selves. *American Psychologist*, *41*(9), 954–969.
https://doi.org/10.1037/0003-066X.41.9.954

Mazzella, R., & Feingold, A. (1994). The effects of physical attractiveness, race, socioeconomic
status, and gender of defendants and victims on judgments of mock jurors: A meta-

analysis. *Journal of Applied Social Psychology*, *24*, 1315-1344.

https://doi.org/10.1111/j.1559-1816.1994.tb01552.x

McMahon, S., & Farmer, G. L. (2011). An updated measure for assessing subtle rape

myths. *Social Work Research*, *35*(2), 71–81. https://doi.org/10.1093/swr/35.2.71

McMahon, S. M., Karp, D. R., & Mulhern, H. (2019). Addressing individual and community

needs in the aftermath of campus sexual misconduct: Restorative justice as a way forward

in the re-entry process. *Journal of Sexual Aggression*, *25*(1), 49–59.

https://doi.org/10.1080/13552600.2018.1507488

Meade, A. W., Johnson, E. C., & Braddy, P. W. (2008). Power and sensitivity of alternative fit

indices in tests of measurement invariance. *Journal of Applied Psychology, 93,* 568–592.

http://dx.doi.org/10.1037/0021-9010.93.3.568

Mears, D. P., Cochran, J. C., & Lindsey, A. M. (2016). Offending and racial and ethnic

disparities in criminal justice: A conceptual framework for guiding theory and research

and informing policy. *Journal of Contemporary Criminal Justice, 32*, 78-103.

https://doi.org/10.1177/1043986215607252

Mowen, T., & Brent, J. (2016). School discipline as a turning point: The cumulative effect of

suspension on arrest. *Journal of Research in Crime and Delinquency*, *53*, 628–653.

https://doi.org/10.1177/0022427816643135

Mutz, D. C. (2011). *Population-based Survey Experiments*. Princeton University Press.

National Association of Student Personnel Administrators. (n.d.). *Student Affairs Administrators

in Higher Education.* https://www.naspa.org/about

National Center for Education Statistics, U. S. Department of Education. (2021a). *Criminal

Incidents at Postsecondary Institutions*. https://nces.ed.gov/pubs2021/2021092.pdf

National Center for Education Statistics, U. S. Department of Education. (2021b). *Hate Crimes*

    at Postsecondary Institutions. https://nces.ed.gov/programs/coe/pdf/2021/a22_508c.pdf

National Center for Education Statistics, U. S. Department of Education. (2021c). *Report on*

    Indicators of School Crime and Safety: 2020. https://nces.ed.gov/pubs2021/2021092.pdf

Neville, H. A., Lilly, R. L., Duran, G., Lee, R. M., & Browne, L. (2000). Construction and initial

    validation of the Color-Blind Racial Attitudes Scale (CoBRAS). *Journal of Counseling*

    Psychology, 47, 59-70. https://doi.org/10.1037//0022-0167.47.1.59

Nichols, J. D. (2004). An exploration of discipline and suspension data. *Journal of Negro*

    Education, *73*, 408–423. https://doi.org/10.2307/4129625

Okimoto, T. G., Wenzel, M., & Feather, N. T. (2012). Retribution and restoration as general

    orientations towards justice. *European Journal of Personality*, *26*, 255–275.

    http://doi.org/10.1002/per.831

Okonofua, J. A., & Eberhardt, J. L. (2015). Two strikes: Race and the disciplining of young

    students. *Psychological Science*, *26*, 617–624.

    https://doi.org/10.1177/0956797615570365

Pager, D., & Shepherd, H. (2008). The sociology of discrimination: Racial discrimination in

    employment, housing, credit, and consumer markets. *Annual Review of Sociology*, *34*,

    181–209. https://doi.org/10.1146/annurev.soc.33.040406.131740

Paulhus, D. L. (1991). Measurement and control of response bias. In J.P. Robinson, P.R. Shaver,

    & L.S. Wrightsman (Eds.), *Measures of personality and social psychological attitudes*.

    Academic Press.

Paulhus, D. L. (1998). *Manual for The Balanced Inventory of Desirable Responding (BIDR)*.

    Multi-Health Systems.

Payne, A. A., & Welch, K. (2015). Restorative justice in schools: The influence of race on

   restorative discipline. *Youth & Society*, *47*, 539–564.

   https://doi.org/10.1177/0044118X12473125

Pedersen, T. (2018). *School suspensions tied to poor mental health*. Psych Central.

   https://psychcentral.com/news/2017/09/01/school-suspensions-tied-to-poor-mental-

   health/125373.html

Pinkston, K. (2015). The Black-White malleability gap in implicit racial evaluations: A

   nationally representative study. *Journal of Social Psychology*, *155*(3), 189–203.

   https://doi.org/10.1080/00224545.2014.987200

Polishchuk, K. (2021). Advocating for an end to corporal punishment in schools.

   https://doi.org/10.1037/e505232021-001

Raffaele Mendez, L. M., & Knoff, H. M. (2003). Who gets suspended from school and why: A

   demographic analysis of schools and disciplinary infractions in a large school

   district. *Education and Treatment of Children*, *26*, 30–51.

   https://www.jstor.org/stable/42900535

Rausch, M. K., & Skiba, R. J. (2005). *The academic cost of discipline: The contribution of

   school discipline to achievement*. Paper presented at the annual meeting of the American

   Educational Research Association, Montreal, Quebec.

Riddle, T., & Sinclair, S. (2019). Racial disparities in school- based disciplinary actions are

   associated with county-level rates of racial bias. *Proceedings of the National Academy of

   Sciences of the United States of America*, *116*, 8255-8260.

   https://doi.org/10.1073/pnas.1808307116

Rubin, Z., & Peplau, L. A. (1973). Belief in just world and reaction to another's lot: a study of participants in the national draft lottery. *Journal of Social Issues, 29*, 73-93. https://doi.org/10.1111/j.1540-4560.1973.tb00104.x

Rucker, D. D., Polifroni, M., Tetlock, P. E., & Scott, A. L. (2004). On the assignment of punishment: The impact of general-societal threat and the moderating role of severity. *Personality and Social Psychology Bulletin*, *30*, 673–684. https://doi.org/10.1177/0146167203262849

Sanzi, E. (2019, January 21). *Black Men, Title IX, and the Disparate Impact of Discipline Policies*. Retrieved from https://www.realcleareducation.com/articles/2019/01/21/black_men_title_nine_and_the_disparate_impact_of_discipline_policies_110308.html

Sass, D. A., Schmitt, T. A., & Marsh, H. W. (2014). Evaluating model fit with ordered categorical data within a measurement invariance framework: A comparison of estimators. *Structural Equation Modeling, 21,* 167–180. http://dx.doi.org/10.1080/10705511.2014.882658

Shollenberger, T. L. (2015). Racial disparities in school suspension and subsequent outcomes: Evidence from the National Longitudinal Study of Youth, In D. J. Losen (Ed.), *Closing the school discipline gap: Equitable remedies for excessive exclusion* (pp. 31-43), Teachers College Press.

Sims, B., & Johnston, E. (2004). Examining public opinion about crime and justice: A statewide study. *Criminal Justice Policy Review*, *15*(3), 270–293. https://doi-org/10.1177/0887403403252668

Skiba, R. J., Horner, R. H., Chung, C.-G., Rausch, M. K., May, S. L., & Tobin, T. (2011). Race is not neutral: A national investigation of African American and Latino disproportionality in school discipline. *School Psychology Review, 40*, 85–107.

Skiba, R. J., Michael, R. S., Nardo, A. C., & Peterson, R. L. (2002). The color of discipline: Sources of racial and gender disproportionality in school punishment. *The Urban Review*, *34*, 317–342. https://doi.org/10.1023/A:1021320817372

Smith, R., & Levinson, J. (2012). The impact of implicit racial bias on the exercise of prosecutorial discretion. *Seattle University Law Review*, *35*. https://digitalcommons.law.seattleu.edu/sulr/vol35/iss3/9/

Smith, R. J., Levinson, J. D., & Robinson, Z. (2015). Implicit White favoritism in the criminal justice system. *Alabama Law Review, 66(4),* 871-924.

Spohn, C., & Spears, J. (1996). The effect of offender and victim characteristics on sexual assault case processing decisions. *Justice Quarterly*, *13*(4), 649–679. https://doi.org/10.1080/07418829600093141

Starcke, M., & Porter, S. R. (2019). Do student conduct administrators discriminate against Black students? An analysis of drug sanctions using vignettes. *Review of Higher Education*, *42*, 765-792. https://doi.org/10.1353/rhe.2019.0014

Stimpson, M., & Stimpson, R. (2008). Twenty-seven years of student conduct literature: Implications for practice, scholarship and ASJA. *Journal of Student Conduct Administration*, *1*, 14–31.

Tabachnick, B. G., & Fidell, L. S. (2013). *Using Multivariate Statistics* (6th ed.) Pearson.

Taylor, T. O., & Bailey, T.-K., M. (2021). The Restorative Justice Attitudes Scale (RJAS):

Development and initial psychometric evaluation. *The Counseling Psychologist*.

https://dx.doi.org/10.1177/00110000211044485

Tinkler, J. E. (2012). Controversies in implicit race bias research. *Sociology Compass*, *6*(12),

987–997. https://doi.org/10.1111/soc4.12001

Townsend, B. L. (2000). The disproportionate discipline of African American learners: Reducing

school suspensions and expulsions. *Exceptional Children*, *66*, 381–391.

https://doi.org/10.1177/001440290006600308

Tracey, T. J. G. (2016). A note on socially desirable responding. *Journal of Counseling

Psychology*, *63*, 224–232. https://doi-org/10.1037/cou0000135

Trachtenberg, B. (2017). How university Title IX enforcement and other discipline processes

(probably) discriminate against minority students. *Nevada Law Journal, 18,* 107-164.

https://scholars.law.unlv.edu/nlj/vol18/iss1/5

U.S. Department of Education and U.S. Department of Justice. (2014). Dear Colleague Letter on

the Nondiscriminatory Administration of School Discipline.

http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html

U.S. Department of Education Office for Civil Rights. (2018). 2015-2016 Civil Rights Data

Collection: School climate and safety. U.S. Department of Education Office for Civil

Rights. https://www2.ed.gov/about/offices/list/ocr/docs/school-climate-and-safety.pdf

Vaccaro, A. (2010). What lies beneath seemingly positive campus climate results: Institutional

sexism, racism, and male hostility toward equity initiatives and liberal Bias. *Equity &

Excellence in Education*, *43*(2), 202–215. https://doi.org/10.1080/10665680903520231

Varghese, F. P., Israel, T., Seymour, G., Becker Herbst, R., Suarez, L. G., & Hargons, C. (2019).

   Injustice in the justice system: Reforming inequities for true "justice for all." *The*

   Counseling Psychologist, *47*, 682–740. https://doi.org/10.1177/0011000019892329

Veil, S. R., & Waymer, D. (2021). Crisis narrative and the paradox of erasure: Making room for

   dialectic tension in a cancel culture. *Public Relations Review, 47*(3), 1-10.

   https://doi.org/10.1016/j.pubrev.2021.102046

Waryold, D. M., & Lancaster, J. M. (2008). *Student Conduct Practice: The Complete Guide for*

   Student Affairs Professionals: Vol. 1st ed. Stylus Publishing.

Wenzel, M., Okimoto, T. G., Feather, N. T., & Platow, M. J. (2008). Retributive and restorative

   justice. *Law & Human Behavior, 32*, 375–389.

   https://doi.org/10.1007/s10979-007-9116-6

Wolf, K. C., & Kupchik, A. (2017). School suspensions and adverse experiences in adulthood,

   Justice Quarterly, *34*, 407-430. http://dx.doi.org/10.1080/07418825.2016.1168475

Yang, Q., Zhu, B., Zhang, Q., Wang, Y., Hu, R., Liu, S., & Sun, D. (2019). Effects of male

   defendants' attractiveness and trustworthiness on simulated judicial decisions in two

   different swindles. *Frontiers in Psychology*, *10*.

   https://doi.org/10.3389/fpsyg.2019.02160

Yoffe, E. (2017, September 11). The Question of Race in Campus Sexual-Assault Cases: Is the

   system biased against men of color?

   https://www.theatlantic.com/education/archive/2017/09/the-question-of-race-in-campus-

   sexual-assault-cases/539361/

Zehr, H. (2002). *The little book of restorative justice.* Good Books.

APPENDIX A

HUMAN SUBJECTS CONSENT FORM

Title of Project: "A Hypothetical Vignette Study of Student Conduct Sanctions"

Principal Investigator: Terrill Taylor, terrill.taylor@und.edu

Advisor: Tamba-Kuii Bailey, PhD., 701-777-2443, tambakuii.bailey@und.edu

Purpose of the Study:
The purpose of the present study is to examine individuals support for student conduct sanctions following events of harm committed on college and university campuses. All individuals who are either students, faculty/staff, or college administrators, and who are 18 years or older are eligible to participate. This study serves as an examination of individual attitudes, thus there are no right or wrong answers.

Procedures to be followed:
If you continue, you will be provided an online survey which will ask that you first read a hypothetical harm vignette and then you will be asked to answer some questions. Your answers will remain anonymous. Participation in this study is voluntary; even if you begin the study, you may decide to leave the survey at any time. You also retain the option to not answer any questions or portions of the survey.

Risks:
There are no risks in participating in this research beyond those experienced in everyday life. Some of the questions might cause personal discomfort. If you do encounter discomfort with this survey, please remember that you may discontinue at any time. If you would like to talk to someone about your feelings regarding this study, you are encouraged to contact the Emotional Listening Support helpline at 1-800-932-4616. In case of any immediate emergency, please call emergency services for crisis intervention.

Benefits:
The study will provide insightful information for informing future public policy related to disciplinary issues within postsecondary education, and will also allow for stronger, more sound empirical research.

Duration:
It will take about 15-20 minutes to read the vignette and complete the questions.

Statement of Confidentiality:
The survey and questionnaire does not ask for any information that would identify who the responses belong to. Therefore, your responses are recorded anonymously. If this research is published, no information that would identify you will be included since your name is in no way linked to your responses.

All survey responses that we receive will be treated confidentially and stored on a secure server. However, given that the surveys can be completed from any computer (e.g., personal, work, school), we are unable to guarantee the security of the computer on which you choose to enter your responses. As a participant in our study, we want you to be aware that certain "key logging" software programs exist that can be used to track or capture data that you enter and/or websites that you visit.

Right to Ask Questions:
The researchers conducting this study are Terrill Taylor and Tamba-Kuii Bailey, PhD. If you have questions concerning your rights as a research participant or if you wish to report any concerns about the study, please contact the principal investigator, Terrill Taylor at terrill.taylor@und.edu, or the supervisor to the Primary Investigator, Tamba-Kuii Bailey, Ph.D., at tambakuii.bailey@und.edu or (701) 777-2443.

If you have questions regarding your rights as a research subject, you may contact The University of North Dakota Institutional Review Board at (701) 777-4279 or UND.irb@UND.edu. You may contact the UND IRB with problems, complaints, or concerns about the research. Please contact the UND IRB if you cannot reach research staff, or you wish to talk with someone who is an informed individual who is independent of the research team.

General information about being a research subject can be found on the Institutional Review Board website "Information for Research Participants" http://und.edu/research/resources/human-subjects/research-participants.cfm

Compensation:
After completion of the study, you may elect to receive a $10 Amazon gift card. Upon completing the survey, you will be asked to click a link which will redirect you to a separate Qualtrics form. Once you click this link you will be asked to provide your name and email. Your survey responses will not be directly linked with any identifying information about you. Please note that attention check questions will be asked throughout the survey. If attention check questions are failed, compensation will not be provided.

Voluntary Participation:
You do not have to participate in this research. You can stop your participation at any time. You may refuse to participate or choose to discontinue participation at any time without losing any benefits to which you are otherwise entitled.

You do not have to answer any questions you do not want to answer.

You must be 18 years of age older to participate in this research study.

Please keep this form for your records or future reference.

○ Accept: Continue to survey
○ Decline: I do not wish to participate

APPENDIX B

DEMOGRAPHIC QUESTIONNAIRE

Demographic Questionnaire

1. Please indicate your gender identity
   a.   Man
   b.   Woman
   c.   Trans male/Trans man
   d.   Trans female/Trans woman
   e.   Genderqueer/fluid or Gender non-conforming
   f.   Different Identity (please state) _____

2. What sex were you assigned at birth, meaning your original birth certificate?
   a.   Male
   b.   Female

3. How do you identify your race/ethnicity?
   a.   White, non-Hispanic/Latinx
   b.   Black/African American
   c.   Hispanic or Latinx
   d.   American Indian or Alaskan Native
   e.   Asian American
   f.   Native Hawaiian or Pacific Islander
   g.   Arab, Middle Eastern, or North African
   h.   Biracial/Multi-racial
   i.   Other

4. How would you identify your sexual orientation?
   a.   Heterosexual (Straight)
   b.   Bisexual
   c.   Gay/Lesbian
   d.   Pansexual
   e.   Asexual
   f.   Different Identity (please state) _____

5. What is your age in years? _____ (Drop down option from 17-85 added)

6. Which region of the country do you live in?
   a.   Midwest - IA, IL, IN, KS, MI, MN, MO, ND, NE, OH, SD, WI
   b.   Northeast - CT, DC, DE, MA, MD, ME, NH, NJ, NY, PA, RI, VT
   c.   Southeast - AL, AR, FL, GA, KY, LA, MS, NC, SC, TN, VA, WV
   d.   Southwest - AZ, NM, OK, TX
   e.   West - AK, CA, CO, HI, ID, MT, NV, OR, UT, WA, WY

7. With what political party do you identify?
   a.   Democrat

    b.   Republican
    c.   Independent
    d.   Libertarian
    e.   None
    f.   Other (please describe _____)

8. With what religion do you most closely identify?
    a.   Christianity
    b.   Catholicism
    c.   Judaism
    d.   Islam
    e.   Buddhism
    f.   Sikhism
    g.   Hinduism
    h.   Other (please specify _____)
    i.   None

9. What is your highest degree or level of education?
    a.   Completed some high school
    b.   High school diploma or GED
    c.   Completed some college
    d.   Associates degree
    e.   Bachelor's degree
    f.   Master's degree
    g.   Doctoral degree, law or medical or other professional degree

10. What was your total household income before taxes during the past 12 months?
    a.   Less than $25,000
    b. $25,000 to $34,999
    c. $35,000 to $49,999
    d. $50,000 to $74,999
    e. $75,000 to $99,999
    f. $100,000 to $149,999
    g. $150,000 or more

11. What is your primary role within the college/university setting that you currently attend and/or work?

    a. I am a current undergraduate student
    b. I am a current graduate or professional degree student
    c. I am a staff member
    d. I am a faculty member
    e. I am a college administrator
    f. I am a community member with no direct affiliation to a college/university

{{re-CAPTCHA, "I'm not a robot" box inserted here}}

APPENDIX C

HARM VIGNETTES AND PHOTOS

Vignette 1: Black Male Student

Please read the brief vignette presented below describing a fictional incident that recently occurred on a college campus. You will be asked questions about the scenario after reading, so please pay careful attention to the details of the story.

Darius Jefferson and another student at the university were dating. They had been physically intimate on several occasions, but limits had been set by Darius' partner who is opposed to having sex at this stage of their relationship. One night, after leaving an off-campus party, Darius and his partner started to become intimate within their mutually agreed upon boundaries, until Darius crossed the boundaries. Things between the two started to intensify. Darius' partner responded by pulling away slightly, moving Darius' hands and saying, "not so fast; I'm just not sure." Following the partner's expression of concern, Darius responded with encouragement and said, "it will be okay just this once." His partner replied, "we shouldn't do this," and laid still for a few moments. After additional prompting by Darius, the partner started to touch him in an intimate way. As Darius started to initiate sex, his partner said, "this is a bad idea" and began to cry. The partner then embraced Darius and the two proceeded to have sex.

The following morning, Darius' partner made a report to university administrators about the incident. The partner stated boundaries were crossed and that sexual intercourse was not wanted. The partner identified Darius Jefferson as a Black male student in his junior year at the university. Later that day, Darius was contacted by the Dean of Students office and the following exchange occurred:

Administrator: *Talk to me more about last night. The report we received says you were pretty active after leaving an off-campus party.*

Darius: *I was at a party, yeah. I didn't really think much about it, to be honest.*

Administrator: *Did you drink alcohol at the party?*

Darius: *I had a few drinks.*

Administrator: *Did you make any sexual advancements towards anyone there?*

Darius: *Well, yes, but I'd prefer not to talk about it. All I can say is I initiated sex and my partner agreed to it. They knew we were already past the point of interruption.*

Following additional exchange, the university administrator determined that there was sufficient evidence to conclude that the conduct that occurred was in direct violation of the Student Codes of Conduct. Darius Jefferson was found responsible for engaging in sexual misconduct and accepted responsibility for his actions. He acknowledged being under extreme stress due to other unresolved issues that he had not spoken to others about. The university administrator confirmed that Darius was in his junior year at the university with a cumulative 3.2 GPA. According to school records, he had no other violations on file. When asked what he thought an appropriate

sanction would be for these violations, Darius said that he did not know and would accept whatever sanction was necessary.

Quality control questions/Manipulation Check Questions–

1. What was the name of the student in the scenario described above?

2. What type of offenses were involved in this scenario?

3. Did the student accept responsibility for their actions?

Vignette 2: White Male Student

Please read the brief vignette presented below describing a fictional incident that recently occurred on a college campus. You will be asked questions about the scenario after reading, so please pay careful attention to the details of the story.

Tanner Olson and another student at the university were dating. They had been physically intimate on several occasions, but limits had been set by Tanner's partner who is opposed to having sex at this stage of their relationship. One night, after leaving an off-campus party, Tanner and his partner started to become intimate within their mutually agreed upon boundaries, until Tanner crossed the boundaries. Things between the two started to intensify.
Tanner's partner responded by pulling away slightly, moving Tanner's hands and saying, "not so fast; I'm just not sure." Following the partner's expression of concern, Tanner responded with encouragement and said, "it will be okay just this once." His partner replied, "we shouldn't do this," and laid still for a few moments. After additional prompting by Tanner, the partner started to touch him in an intimate way. As Tanner started to initiate sex, his partner said, "this is a bad idea" and began to cry. The partner then embraced Tanner and the two proceeded to have sex.

The following morning, Tanner's partner made a report to university administrators about the incident. The partner stated boundaries were crossed and that sexual intercourse was not wanted. The partner identified Tanner Olson as a White male student in his junior year at the university. Later that day, Tanner was contacted by the Dean of Students office and the following exchange occurred:

Administrator: *Talk to me more about last night. The report we received says you were pretty active after leaving an off-campus party.*

Tanner: *I was at a party, yeah. I didn't really think much about it, to be honest.*

Administrator: *Did you drink alcohol at the party?*

Tanner: *I had a few drinks.*

Administrator: *Did you make any sexual advancements towards anyone there?*

Tanner: *Well, yes, but I'd prefer not to talk about it. All I can say is I initiated sex and my partner agreed to it. They knew we were already past the point of interruption.*

Following additional exchange, the university administrator determined that there was sufficient evidence to conclude that the conduct that occurred was in direct violation of the Student Codes of Conduct. Tanner Olson was found responsible for engaging in sexual misconduct and accepted responsibility for his actions. He acknowledged being under extreme stress due to other unresolved issues that he had not spoken to others about. The university administrator confirmed that Tanner was in his junior year at the university with a cumulative 3.2 GPA. According to

school records, he had no other violations on file. When asked what he thought an appropriate sanction would be for these violations, Tanner said that he did not know and would accept whatever sanction was necessary.

Quality control questions/Manipulation Check Questions–

1. What was the name of the student in the scenario described above?

2. What type of offenses were involved in this scenario?

3. Did the student accept responsibility for their actions?

APPENDIX D

RESTORATIVE JUSTICE ATTITUDES SCALE

Restorative Justice Attitude Scale
(Taylor & Bailey, 2021)

<u>Instructions:</u> This questionnaire is designed to measure people's social attitudes. As different people have different opinions, there are no right or wrong answers. Use the scale to respond to each statement according to the way you see things. While thinking about the terms "victims" and "offenders" please consider your responses on what feels best for you. Be as honest as you can. Please answer all questions to the best of your ability.

1	2	3	4	5
Strongly Disagree	**Disagree**	**Neutral**	**Agree**	**Strongly Agree**

	Strongly Disagree	Disagree	Neither Agree or Disagree	Agree	Strongly Agree
1. It is important to empathize with individuals who have caused harm to others	1	2	3	4	5
2. It is important to show empathy toward offenders of wrongdoing	1	2	3	4	5
3. People should empathize with others, even if the person has caused harm	1	2	3	4	5
4. Showing support to offenders can be beneficial in helping the individual accept responsibility for their actions	1	2	3	4	5
5. It is important to understand the needs of offenders that are connected to the harm they caused	1	2	3	4	5
6. Offenders of wrongdoing have needs associated with the harm they caused that justice processes should address	1	2	3	4	5
7. There should be a greater emphasis on understanding those who cause harm	1	2	3	4	5
8. I believe there should be an equal concern toward healing the lives of both those who have been	1	2	3	4	5

harmed and those who cause harm

9. Offenders of wrongdoing should work to restore relationships with those whom they hurt	1	2	3	4	5
10. Offenders of wrongdoing should repair relationships with those who have been harmed	1	2	3	4	5
11. It is important for offenders and victims to engage in face-to-face dialogue	1	2	3	4	5
12. Inclusive, collaborative processes between victims and offenders of wrongdoing are necessary to repair harm	1	2	3	4	5
13. It is important that offenders of wrongdoing accept responsibility for their actions	1	2	3	4	5
14. Acknowledging one's wrongdoing is important	1	2	3	4	5
15. I believe individuals should be encouraged to understand the impact of their harm	1	2	3	4	5
16. Truth-telling in the form of an admission of responsibility for what happened on the part of the person who caused the harm is important	1	2	3	4	5
17. Community members should have an active voice in defining justice for victims	1	2	3	4	5
18. Justice processes should be more inclusive of individuals within the community	1	2	3	4	5
19. I believe victims of harm need the community's support in order to heal	1	2	3	4	5
20. The community has a responsibility to help victims of harm address their needs	1	2	3	4	5

APPENDIX E

GLOBAL BELIEFS IN A JUST WORLD SCALE

Global Beliefs in a Just World Scale
(Lipkus, 1991)

1	2	3	4	5	6
Strongly disagree	**Disagree**	**Slightly disagree**	**Slightly agree**	**Agree**	**Strongly agree**

	Strongly disagree	Disagree	Slightly disagree	Slightly agree	Agree	Strongly agree
1. I feel that people get what they are entitled to have.	1	2	3	4	5	6
2. I feel that a person's efforts are noticed and rewarded.	1	2	3	4	5	6
3. I feel that people earn the rewards and punishments they get.	1	2	3	4	5	6
4. I feel that people who meet misfortune have brought it on themselves.	1	2	3	4	5	6
5. I feel that people get what they deserve.	1	2	3	4	5	6
6. I feel that rewards and punishments are given fairly.	1	2	3	4	5	6
7. I basically feel that the world is a fair place.	1	2	3	4	5	6

APPENDIX F

CONDUCT SANCTION RESPONSES

Conduct Sanction Responses
(items developed by researcher for the current study)

Instructions: When considering an appropriate outcome for the student who engaged in misconduct, to what extent do you agree or disagree with each of the following statements?

1	2	3	4	5	6	7
Strongly disagree	**Disagree**	**Somewhat disagree**	**Neutral**	**Somewhat agree**	**Agree**	**Strongly agree**

	Strongly disagree	Disagree	Somewhat disagree	Neutral	Somewhat agree	Agree	Strongly agree
1. The student should be punished to the greatest extent possible.*	1	2	3	4	5	6	7
2. The university should offer programs to help support the student.	1	2	3	4	5	6	7
3. The university should take no action.*	1	2	3	4	5	6	7
4. The student should be suspended	1	2	3	4	5	6	7
5. The sanction given should allow for the student to be restored as an equal member of the campus community.*	1	2	3	4	5	6	7
6. I have no opinion about what should happen to the student.	1	2	3	4	5	6	7
7. The student should be expelled from the university.	1	2	3	4	5	6	7
8. It should be required that the student attend counseling to correct their behavior.*	1	2	3	4	5	6	7
9. There should be no sanction for the student.*	1	2	3	4	5	6	7
10. The sanction should involve some degree of suffering for the student.*	1	2	3	4	5	6	7
11. The university should provide opportunities for the student to reflect on their experiences through open dialogue with others.	1	2	3	4	5	6	7

12. The sanction should be determined by the campus administration only, it does not matter to me	1	2	3	4	5	6	7
13. The student should be immediately removed from the campus community	1	2	3	4	5	6	7
14. The sanction should include a supportive educational experience for the student to learn and grow	1	2	3	4	5	6	7
15. I should not be involved in the decision about what happens to the student.	1	2	3	4	5	6	7

*denotes deleted items

APPENDIX G

The Balanced Inventory of Desirable Responding Short Form (BIDR-16)

The Balanced Inventory of Desirable Responding Short Form
(BIDR-16) (Hart et al., 2015)

Instructions: Using the scale below as a guide, indicate how much you agree with each statement.

1	2	3	4	5	6	7	8
Totally Disagree							Totally Agree

	Totally disagree							Totally Agree
1. I have not always been honest with myself.	1	2	3	4	5	6	7	8
2. I always know why I like things.	1	2	3	4	5	6	7	8
3. It's hard for me to shut off disturbing thoughts.	1	2	3	4	5	6	7	8
4. I never regret my decisions.	1	2	3	4	5	6	7	8
5. I sometimes lose out on things because I can't make up my mind soon enough.	1	2	3	4	5	6	7	8
6. I am a completely rational person.	1	2	3	4	5	6	7	8
7. I am very confident of my judgements.	1	2	3	4	5	6	7	8
8. I have sometimes doubted my ability as a lover.	1	2	3	4	5	6	7	8
9. I sometimes tell lies if I have to.	1	2	3	4	5	6	7	8
10. I never cover up my mistakes.	1	2	3	4	5	6	7	8
11. There have been occasions when I have taken advantage of someone.	1	2	3	4	5	6	7	8
12. I sometimes try to get even rather than forgive and forget.	1	2	3	4	5	6	7	8
13. I have said something bad about a friend behind their back.	1	2	3	4	5	6	7	8

14. When I hear people talking privately, I avoid listening.

1   2   3   4   5   6   7   8

15. I never take things that don't belong to me.

1   2   3   4   5   6   7   8

16. I don't gossip about other people's business.

1   2   3   4   5   6   7   8

APPENDIX H

UPDATED ILLINOIS RAPE MYTH ACCEPTANCE SCALE - REVISED

Updated Illinois Rape Myth Acceptance Scale – Revised
(uIRMA) (McMahon & Farmer, 2011)

Instructions: Please read each of the following statements and indicate the number that indicates how true each is for you:

1	**2**	**3**	**4**	**5**
Totally Disagree				**Totally Agree**

	Totally disagree				Totally agree
1. If a person is raped while they are drunk, they are at least somewhat responsible for what happened.	1	2	3	4	5
2. When people go to parties wearing revealing clothes, they are asking for trouble.	1	2	3	4	5
3. If a person goes to a room alone with someone at a party, it is their own fault if they are raped.	1	2	3	4	5
4. If a person hooks up with a lot of people, eventually they are going to get into trouble.	1	2	3	4	5
5. When a person rapes, it us usually because of their strong desire for sex.	1	2	3	4	5
6. People don't usually intend to force sex on a person, but sometimes they get too sexually carried away.	1	2	3	4	5
7. Rape happens when a person's sex drive gets out of control.	1	2	3	4	5
8. If a person is drunk, they might rape someone unintentionally.	1	2	3	4	5
9. If both people are drunk, it can't be rape.	1	2	3	4	5
10. It shouldn't be considered rape if a person is drunk	1	2	3	4	5

and didn't realize what they were doing.

11. If a person doesn't physically resist sex - even if protesting verbally - it can't really be considered rape. 1 2 3 4 5

12. If a person doesn't physically fight back, you can't really say it was rape. 1 2 3 4 5

13. A lot of times, a person who says they were raped agreed to have sex and then regret it. 1 2 3 4 5

14. Rape accusations are often used as a way of getting back at a person. 1 2 3 4 5

15. A person who says they were raped often led the other person on and then had regrets. 1 2 3 4 5

16. A lot of times, people who claim they were raped just have emotional problems. 1 2 3 4 5

17. If the accused "rapist" doesn't have a weapon, you really can't call it a rape. 1 2 3 4 5

18. People who are caught cheating on their partner sometimes claim that it was rape. 1 2 3 4 5

19. If a person doesn't say "no," they can't claim rape. 1 2 3 4 5